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# **RAJASTHAN RULES COMPENDIUM**

( IN 16 VOLUMES )  
( 1949 TO 1967 )



*By*

**VYAS & BAFNA**



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*Ruler and Notifications under*  
COLONISATION ACT, 1954. THE RAJASTHAN  
( 27 OF 1954 )

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## RAJASTHAN RULES COMPENDIUM

(1949 to 1967)

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**EXCISE ACT, 1950. THE RAJASTHAN (2 OF 1950)**

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## Notifications under

### RAJASTHAN EXCISE ACT, 1950.

Published in Raj. Raj-patra Vol. 2 No. 29 Dated 1-7-50 at page 214 :

#### SEPARATE REVENUE DEPARTMENT.

#### NOTIFICATIONS.

Jaipur, June 20, 1950.

No. F. 49 (1) SR./50.—In pursuance of sub-section (13) of section I of the Rajasthan Excise Act, 1950 (Act No. II of 1950), the Government of Rajasthan is pleased to direct that the said Act shall come into force with effect from the date of publication of this Notification in the Rajasthan Gazette.

Published in Raj. Raj-patra Vol. 2 No 156 Dated 24-3-51 part I at page 1043 :

#### SEPARATE REVENUE DEPARTMENT.

#### NOTIFICATIONS.

Jaipur, March 14, 1951

No. F. 1 (11) SR./50.—In pursuance of sub-section (2) of section 71 of the Rajasthan Excise Act, 1950, the Government of Rajasthan is pleased to exempt from excise duty rectified spirit (ethylalcohol) supplied for *bonafide* use in research work conducted by recognised research institutions and organisations.

By Order of  
His Highness the Rajpramukh,  
V. NARAYANAN,  
Additional Chief Secretary to the  
Government of Rajasthan

Published in Raj. Raj-patra Vol.3 No. 35 Dated 19-5-51 part I at page 259 to 261

Jaipur, May 15, 1951.

No. F. 49 (1) SR/50.—In exercise of the powers conferred by sub-section (1) of section 9 of the Rajasthan Excise Act, 1950, the following appointments have been made by the Government of Rajasthan:—

1. Shri Jaswant Raj Mehta, Excise Commissioner, Rajasthan.
2. Shri Shyam Sunder Narain, Additional Excise Commissioner, Rajasthan.

Jaipur, May 15, 1951.

No. F. 49 (1) SR/50.—In exercise of the powers conferred by sub-section (1B) of section 9 of the Rajasthan Excise Act, 1950 the Government of Rajasthan is pleased to invest the Excise Officers not below the rank of Inspectors with the powers under sections 43, 44 and 47 of the said Act.

Jaipur, May 15, 1951.

No. F. 49 (1) SR./50.—In exercise of the powers conferred by sub-section (3) of section 9 of the Rajasthan Excise Act, 1950, the Government of Rajasthan is pleased to authorise the Excise Commissioner to delegate to the following subordinate officers all or any of his powers under sections mentioned against them, namely:—

1. *Deputy Excise Commissioners*.—Sections 15, 20, 46 and 67 (1) (b) in so far as the complaint or report is not for offences under sections 60 & 61.
2. *Assistant Excise Commissioners*.—Section 15 (Power to grant passes for import and transport).  
Sections 46 (a), 67 (1) (b) in so far as it relates to provisions other than sections 60 and 61, and 69 (3).
3. *Excise Inspectors*.—Section 15 (Power to grant passes for transport).

Jaipur, May 15, 1951.

No. F. 49 (1) SR/50.—In exercise of the powers conferred by section 10 of the Rajasthan Excise Act, 1950, the Government of Rajasthan is pleased to order that the Police and Revenue Officers not below the rank specified hereunder shall exercise the powers and perform the duties under sections mentioned against them:—

**Notifications under Rajasthan Excise Act, 1950.**

1. Sub-Inspector of Police and above ... Sections 44, 47 and 67 (1) (a).
2. Naib Tehsildar, Revenue and above ... Section 47.
3. Assistant Collector, Revenue and above ... Section 43.
4. All Officers of Police & Revenue, including Constables and Chowkidars and Patwaris ... ... Section 45.

Jaipur, May 15, 1951.

**No. F. 49 (1) SR/50.**—In exercise of the powers conferred by sub section (1) of section 5 of the Rajasthan Excise Act, 1950, the Government of Rajasthan is pleased to direct that in the whole of Rajasthan the limit of quantity within which the sale to all purchasers of the following excisable articles shall be deemed to be sold by retail shall be as specified against them, namely:—

1. Country Liquor Three quart bottles.
2. Ganja... ...Two tolas.
3. Bhang... ...Eight Chhataks.
4. Foreign Liquor Twelve quart bottles,

Jaipur, May 15, 1951

**No. F. 49 (1) SR/50.**—In exercise of the powers conferred by section 14 of the Rajasthan Excise Act, 1950, the Government of Rajasthan is pleased to direct that in the whole of Rajasthan the maximum quantities of the following excisable articles which may be imported, exported or transported by *bonafide* passengers for their personal consumption without a pass shall be as specified against them, namely:—

1. Country liquor ... One quart bottle.
2. Ganja ... ... One tola.
3. Bhang ... ... Four chhataks.
4. Foreign liquor ... Six quart bottles.
5. Indian-made Foreign liquor ... Two quart bottles.

By Order of  
His Highness the Rajpramukh,  
G. S. PUROHIT,  
Secretary to Government,  
Separate Revenue Department.

*Published in Raj. Raj-patra Vol. 3 part I at page 389 :*

Separate Revenue Department.

**NOTIFICATIONS.**

Jaipur, June 20/30. 1951.

**No. F. 3 (11) S.R/50.**—In pursuance of the provisions of sub-section (4) of section 19 of the Rajasthan Excise Act, 1950, the Government of Rajasthan is pleased to direct that, notwithstanding anything contained in sub-sections (1), (2) and (3) of the said section, no person shall take any quantity of country liquor into or keep upon any premises used as Restaurant within the limits of Municipalities in Rajasthan unless such premises have been licensed for the consumption of liquors thereon under the said Act or the Rules made thereunder.

**Explanation.**—"Restaurant" means any place to which the public are admitted for the consumption of food or drink for consideration.

Jaipur, July 5, 1951

**No. F. 8 (8) S.R/50.**—In exercise of the powers conferred by section 7 of the Matsya Customs Ordinance, 1948, the Government of Rajasthan is pleased to establish a Customs Post at Phulwara in the Bharatpur District.

By Order of  
His Highness the Rajpramukh,  
GANGA SAHAI PUROHIT,  
Secretary to Government,  
Separate Revenue Department.

Published in Raj. Raj-patra Vol. 3 No. 123 Dated 8-12-51 part I at page 775 :

SEPARATE REVENUE DEPARTMENT.  
NOTIFICATION.

Jaipur, November 30, 1951.

No. F. 49 (1) S.R./50.—In exercise of the powers conferred by section 10 of the Rajasthan Excise Act, 1950, the Government of Rajasthan is pleased to order that all officers of the Customs and Excise Department, including Guards, shall exercise the powers and perform the duties under section 45 of the Act.

By Order of  
His Highness the Rajpramukh,  
GANGA SAHAI PUROHIT,  
Secretary to the Government.

Published in Raj. Raj-patra Vol. 4 No. 76 Dated 26-7-52 part I at page 396 to 397

SEPARATE REVENUE DEPARTMENT.  
ORDERS.

Jaipur, July 18, 1952.

No. F. 41 (1)-S.R./51.—The Government has reviewed the commitments made by the Covenanting State of Rajasthan in the form of cash grants to Jagirdars and to other persons for certain excise concessions or privileges, and is satisfied that, in the changed circumstances, these are against public interest. It has therefore, been decided to terminate these arrangements and any compensation or cash grants payable under the old commitments will cease to be payable with effect from the date of this Order.

Jaipur, July 18, 1952.

No. F. 41 (1)-S.R./51.—In exercise of the powers conferred by sub-section (2) of section 71 of the Rajasthan Excise Act, 1950, read with section 21 of the General Clauses Act, 1897, of the Central Legislature, the Government of Rajasthan is pleased to order that all permissions, exemptions and concessions granted in respect of manufacture or distribution of liquor or other excisable articles or in respect of any distillery, brewhouse, potstill or warehouse under the laws of the former Jodhpur and Bikaner States and other covenanting States or under any rule made thereunder, shall be cancelled with immediate effect.

By Order of  
His Highness the Rajpramukh,  
GANGA SAHAI PUROHIT,  
Secretary to the Government.

Published in Raj. Raj-patra Vol. 4 part II at page 857 :

OFFICE OF THE COMMISSIONER,  
CUSTOMS & EXCISE, RAJASTHAN, UDAIPUR.  
Udaipur, August 25, 1952.

No. F. 15 (515) Ex/52/221.—In exercise of the powers conferred by notification No. F. 49 (1) S.R./50, dated 15th May, 1951, under sub section (3) of section 9 of the Rajasthan Excise Act, 1950, I hereby further authorise the Deputy Excise Commissioners to exercise my powers under section 15 in respect of grant of passes for the export of Foreign and Indian Made Foreign liquors.

G. S. MEHTA,  
Commissioner, Customs and Excise,  
Rajasthan Udaipur.

Published in Raj. Raj-patra Dated March 28, 1953 part I at page 1130 :

SEPARATE REVENUE DEPARTMENT.  
NOTIFICATION.

Jaipur, January 21, 1953.

No. F. 1 (3) S.R./50.—In exercise of the powers conferred by section 71 (2)

of the Rajasthan Excise Act, 1950 (Act No II of 1950), the Government of Rajasthan is pleased to exempt the Military installations in India from operation of the provisions of the aforesaid Act relating to export, import, transport and possession of the methylated spirit and alcohols if required by them for *bonafide* industrial purposes.

By Order of  
His Highness the Rajpramukh,  
J. N. PUROHIT,  
Secretary to the Government

*Published in Raj. Raj-patra Dated October 31, 1953 part II at page 1108 :*

*Copy of letter No. F. 1 (9) SR/51, dated 20th August, 1953 from the Secretary, Separate Revenue Department Rajasthan, Jaipur to the Commissioner, Customs and Excise Rajasthan, Udaipur, is hereby published for general information.*

**Subject:**—Levy of a consolidated rate of duty @ Rs. 12-8-0 per L. P. Gallon on Indian made foreign liquor effected to Defence Services Personnel through the Canteen Stores Department.

I am directed to convey sanction of His Highness the Rajpramukh to the levy of a consolidated concessional rate of duty @ Rs. 12-8-0 per L.P. Gallon in place of the normal duty leviable on the import of Indian made Foreign liquors imported for Defence Services Personnel Stationed in Rajasthan, through the Canteen Stores Department, Government of India subject to the following conditions:—

(1) The concession will be applied to Indian Made Foreign liquor supplied to the troops through the Canteen Stores Department (India) only and not the liquor purchased by them direct from the distilleries or from any other source.

(2) The liquor will be supplied to the Canteen Stores Department (India) in bottle with the word "C.S.D." and bearing labels with the words "for Military Personnel only" conspicuously printed on them in red letters.

(3) The supply will be made according to the scale sanctioned by the Government of India.

(4) The Military Canteen contractors holding licences will be required to keep a separate account of all Indian Made Foreign liquor received from the Canteen Stores Department (India) at the concession rate so that licence fee at the prescribed rate may be recovered from them on sale of Indian Made Foreign liquor obtained by them from other sources.

G. S. MEHTA,  
Commissioner Customs and Excise, Udaipur

*Published in Raj. Raj-patra Dated September 11, 1954 part I (b) at page 390 :  
Jaipur, August 31, 1954*

No. F. 36 (1) SR/53.—In exercise of the powers conferred by section 10 (b) of the Rajasthan Excise Act, 1950, (Rajasthan Act No. II of 1950), the Government of Rajasthan is hereby pleased to order that the Collector, Jaisalmer and the Sub-Divisional Officers of Jaisalmer and Pohkaran, shall exercise and perform in their jurisdiction all the powers and duties assigned to the Deputy Excise Commissioner and the Assistant Excise Commissioners respectively under the aforesaid Act.

*Published in Raj. Raj-patra Dated March 28, 1955 part IV (c) at page 1017-19 :  
(Authorised Translation in English Language)  
Jaipur, March 23, 1955.*

No. F. 1 (2) SR/53.—In exercise of the powers conferred by section 28 of the Rajasthan Excise Act 1950 (No. II of 1950) the Government of Rajasthan is hereby pleased to impose, with effect from the date of publication of this notification in the Rajasthan Gazette:—

(i) an excise duty on the following articles when manufactured in any place in Rajasthan under any license granted under the aforesaid Act or in any distillery, potstill or brewery established or licensed under the aforesaid Act and consumed in Rajasthan and

(ii) a countervailing duty on the following articles when imported into Rajasthan from any place in India outside Rajasthan under any license granted under the said Act, the rates of the said duties being those mentioned below against article:—

Article	Rate of excise and countervailing duty.
1. Indian Made Foreign Liquor, and spirit.	Rs. 35/- per L. P. gallon.
2. Indian Made Foreign Fermented liquors.	Rs. 12½% Ad velorem.
3. Indian Made Cherry, Madina, Porter, Light Sparkling Wines and Vermouth.	Rs. 12½% Ad velorem.
4. Indian Made Beers and Ciders.	Rs. 12½% Ad velorem.
5. Denatured spirit	Rs.-2/-per bulk gallon.
2. Nothing in this notification applies to medicinal or toilet preparations containing any of the articles mentioned above.	

(English Translation Authorised by His Highness the Rajpramukh)

Jaipur, March 23, 1955.

No. F. 1. (2) SR/53.—In exercise of the powers conferred by section 28 of the Rajasthan Excise Act 1950 (Rajasthan Act II of 1950), the Government of Rajasthan is hereby pleased to impose, with effect from the date of publication of this notification in the Rajasthan Gazette, an excise duty on the following exciseable articles manufactured in any place in Rajasthan under any licence granted under the aforesaid Act or in any distillery, pot still or brewery established or licensed under the aforesaid Act and exported from Rajasthan. The rate of duty shall be as indicated below against each article.

Description of Exciseable article	Rate of duty,
Indian Made Foreign liquor.	Rs.-4/-per L P. Gallon.
Denatured spirit.	Rs.-2/-per bulk Gallon.

Published in Raj. Raj-patras Dated March 31, 1956 part I (b) at page 1194 :

Jaipur, March, 24, 1956.

No. F. 1 (11) E T/56.—In exercise of the powers conferred by Sections 28 and 31 of the Rajasthan Excise Act, 1950 (No. II of 1950) and in partial modification of this Department notification No. F.1 (2)SR/53, dated the 23rd March, 1955, published in the Rajasthan Gazette extraordinary dated the 26th March, 1955, the Government of Rajasthan is hereby pleased to impose with effect from the date of publication of this notification in the Rajasthan Gazette:—

- (i) an Excise Duty of Rs. 1/8/- per Bulk Gallon on denatured spirit when manufactured in any place in Rajasthan under any licence granted under the aforesaid Act or in any distillery, pot still or Brewery established or licensed under the aforesaid Act and consumed in Rajasthan,
- (ii) A countervailing duty of Rs. 1/8/- per Bulk Gallon on denatured spirit when imported into Rajasthan from any place in India outside Rajasthan under any license granted under the said Act, and also, a permit fee of Rs. 1/8/- per Bulk Gallon for denatured spirit manufactured outside India and imported for consumption in Rajasthan.

By Order of  
His Highness the Rajpramukh  
G. S. PUROHIT,  
Secretary to the Government.

*Published in Raj. Raj-patra Dated May 5, 1956 part I (c) at page 48 ;*

ENGLISH TRANSLATION

[ Authorised by His Highness the Rajpramukh ]

Jaipur, April 24, 1956

No. F. 4 (12) E&T/56.—In exercise of the powers conferred by the relevant provisions of the Customs laws of the covenanting States, His Highness the Rajpramukh of Rajasthan is pleased to order that every officer holding a post of an Inspector in the Excise and Taxation Department shall, ex-officio, within his jurisdiction exercise such powers and perform such functions of a customs officer under the aforesaid laws as were lately exercised and performed by an Inspector of Customs.

By Order of

His Highness the Rajpramukh,

G. S. PUROHIT.

Secretary to the Government.

*Published in Raj. Raj-patra Dated June 30, 1956 part I (b) at page 291 :*

ENGLISH TRANSLATION

[ Authorised by His Highness the Rajpramukh ]

Jaipur, June 18, 1956

No. F. (40) E.&T./56.—In exercise of the powers conferred by section 19 (4) of the Rajasthan Excise Act, 1950 (Act No II of 1950) the Government of Rajasthan does hereby direct that in the whole of Rajasthan no person, not being licensed to manufacture, collect or sell, shall at any one time keep in his possession more than four quart bottles of foreign liquor excepting beer.

By Order of

His Highness the Rajpramukh,

G. S. PUROHIT.

Secretary to the Government

*Published in Raj. Raj-patra Dated August 9, 1956 part I (b) at page 403:*

ENGLISH TRANSLATION

[ Authorised by His Highness the Rajpramukh ]

NOTIFICATION.

Jaipur, July 27, 1956.

No. F. 1 (40) E. & T./56.—In exercise of the powers conferred by sub-section (1) of section 5 of the Rajasthan Excise Act, 1950 (Act No. II of 1950) and in partial modification of this Department notification No. F. 49 (3) SR/50, dated the 15th May, 1951, the Government of Rajasthan does hereby declare that four quart bottles shall be the limit of sale by retail of foreign liquor excepting beer to any purchaser in any part of Rajasthan.

By Order of,

His Highness the Rajpramukh,

G. S. PUROHIT

Secretary to the Government

*Published in Raj. Raj-patra Dated January 16, 1957 part IV (c) at page 310 :*

Excise & Taxation Department

NOTIFICATION

Jaipur, January 16, 1957.

No. F. 1 (2) E & T/56—In exercise of the powers conferred by section 28 of the Rajasthan Excise Act, 1950 (Rajasthan Act II of 1950) in force in the area of the pre-Reorganisation State of Rajasthan, section, 24 of the Excise Regulation, 1915 (Central Regulation I of 1915) in force in the Ajmer area and section 24 of the Madhya Bharat Excise Act, Samvat 2009 (Madhya Bharat Act, 14 of 1952) (Samvat 2009) in force in the Sunel area, the State Government hereby imposes, with effect from the date of publication of this notification in the Rajasthan Gazette.

(1) an excise duty at the rate of Rs. 45/- per L. P. gallon on Indian made Foreign liquor manufactured at any place in the State of Rajasthan under any license granted under any of the aforesaid laws in any distillery, pot-still or brewery established or licensed under any of the aforesaid laws, for consumption in the State, and

(2) a countervailing duty on Indian-made Foreign liquor at the rate of Rs. 45/- L.P. gallon when imported into the State from any place in India outside the State, under any license granted under any of the aforesaid laws or rules made thereunder.

This supersedes existing notifications on the subject in force in any of the areas mentioned above, in so far such notifications deal with matters covered by this notification.

By Order of the Government,  
G. S. PUROHIT,  
Secretary to Government.

*Published in Raj Raj-patra Dated February 28, 1957 part I (b) at page 813-14 :  
Jaipur, February 15, 1957.*

No. F. 49 (8) SR/53.—In exercise of the powers conferred by clause (iv) of sub-Section 4 of section 3 of the Rajasthan Excise Act 1950 (Rajasthan Act II of 1950) the Government of Rajasthan is pleased to order that Methylalcohol shall be deemed to be an Excisable.

Jaipur February 15, 1957

No. F. 49 (8) SR/53.—In exercise of the powers conferred by sub-section (15) of section 3 and sub-section (i) of section 4 of the Rajasthan Excise Act, 1950 (Rajasthan Act II of 1950) the Government of Rajasthan is pleased to order that tonic and medicated wines over 20 degree of proof spirit shall be regarded as liquor for the purposes of that Act.

Jaipur February 15, 1957.

No. F. 49 (8) SR/53.—In exercise of the powers conferred by sub-section (2) of section 4 of the Rajasthan Excise 1950 Rajasthan Act II of 1950) the Government of Rajasthan is pleased to declare that for the purposes of that Act the following substances shall be deemed to be country liquor and foreign liquor respectively;

1. *Country liquor*.—Any plain or spiced spirit which has been manufactured in India and which is not foreign liquor as defined below.

2. *Foreign liquor*.—

(a) all liquor imported into India;

(b) liquor made in India and sophisticated or coloured so as to resemble in flavour or colour liquor imported into India;

(c) liquor made in India which has been blended or compounded with liquor imported into India;

(d) beer made in India; or imported beer,

(e) all absolute alcohol rectified perfumed medicated or denatured spirit, wherever made.

Jaipur, February 15, 1957.

No. F. 49 (8) SR/53.—In exercise of the powers conferred by section 13 of the Rajasthan Excise Act 1950 (Rajasthan Act II of 1950) the Government of Rajasthan is hereby pleased:—

(1) to prohibit the import into, export out of, or transport within Rajasthan of Charas;

(2) to prohibit the import into Rajasthan of Ganja and Bhang except

(a) when brought by a passenger in his personal possession in a quantity not exceeding the limit of possession of the substance concerned prescribed by section 19 of the aforesaid Act read with sub-section (1) of section 5 thereof; or

(b) on behalf of the Government of Rajasthan; and

(3) to prohibit the export out Rajasthan of all intoxicating drugs as defined by sub-section (14) of section 3 of the aforesaid Act, except on behalf of the Government of Rajasthan or except by a *bona fide* passenger as part of his personal luggage in a quantity not exceeding the limit of possession of the drug concerned under the aforesaid Act.

By Order of the Governor,  
G. S. PUROHIT.

Secretary to the Government

*Published in Raj. Raj-patra Dated April 15, 1957 part I (b) at page 63 :*

English Translation Authorised by the Governor  
Jaipur, April 16, 1957.

No. F. 1 (6) E & T/50.—In exercise of the powers conferred by sub-section (1) of section 5 of the Rajasthan Excise Act, 1950 (Act No. II of 1950) and in partial modification of the Government Notification No. F. 49 (1) SR/50, dated the 15th May, 1951, the Government of Rajasthan does hereby declare with respect to the whole of the pre-reorganisation State of Rajasthan that the limit of sale by retail of Bhang for the purposes of the said Act shall be 20 Tolas.

By Order of the Governor,  
G. S. PUROHIT,  
Secretary to the Government.

*Published in Raj. Raj-patra Dated May 30, 1957 part IV (c) at page 77-78*

Jaipur, May 7, 1957.

No. F. 37 (1) SR/53.—In exercise of the powers conferred by section 10 (b) of the Rajasthan Excise Act, 1950 (Act II of 1950), the Government of Rajasthan does hereby order that with effect from the date of publication of this notification in the Rajasthan Gazette following officers of the State of Uttar Pradesh shall exercise within the District of Bharatpur the powers under sections 45 and 47 of the said Act in respect of intoxicating drugs and liquor as defined in sections 3 (14) and (15) thereof on the condition that the persons arrested and things seized shall be immediately handed over to the Excise Inspector of the Circle concerned, namely:—

1. Assistant Excise Commissioner, Agra Charge.
2. Assistant Excise Commissioner, Excise Intelligence Bureau, Allahabad.
3. Excise Inspectors of—
  - (a) Agra and
  - (b) Mathura Districts.
4. Excise Inspectors, Excise Intelligence Bureau, Allahabad.

*Published in Raj. Raj-patra Dated June 5, 1958 part IV (c) at page 339 :*  
Jaipur, January 18, 1958.

No. F. 37 (1)/SR/53/II.—In exercise of the powers conferred by section 10 (b) of the Rajasthan Excise Act, 1950 (Act II of 1950) the Government of Rajasthan does hereby order that with effect from the date of publication of this notification in the Official Gazette the following officers of the State of Punjab shall exercise within the districts of Rajasthan shown against them respectively, the powers under section 45 and 47 of the said Act in respect of intoxicating drugs and liquor as defined in sections 3 (14) and (15) thereof on the condition that the persons arrested and things seized shall be immediately handed over to the Excise Inspector of the Circle concerned, namely:—

Officers

Districts of Rajasthan.

1. Excise & Taxation Officer, the Assistant Excise Taxation Officer, Excise Inspector and staff of Intelligence Bureau not below the rank of sub-Inspector posted in
  - (a) Hisar District
  - (b) Gurgaon District
  - (c) Ferozpur
  - (d) Mahendargarh

- (a) Ganganagar, Churu and Jhunjhunu
- (b) Alwar and Bharatpur
- (c) Ganganagar
- (d) Sikar, Jhunjhunu and Alwar.

*Published in Raj Raj-patra Dated March 10, 1958 part IV (c) at page 1 to 2:*

Excise and Taxation Department

**NOTIFICATION**

Jaipur, March 10, 1958

No. F. 1 (22) E & T/58/I.—In exercise of the powers conferred by section 28 and 31 of the Rajasthan Excise Act, 1950 (No. II of 1950) and in supersession of Notification No. F. 1 (11) E & T/56, dated the 24 March, 1956, published in the Rajasthan Gazette dated the 31st March, 1956, the State Government is hereby pleased to impose with effect from the date of publication of this notification in the Rajasthan Gazette,—

- (1) an excise duty of Rs. 2.50 per bulk gallon on denatured spirit when manufactured in any place in Rajasthan under any licence granted under the aforesaid Act or any distillery, spot still or brewery established or licensed under the aforesaid Act and consumed in Rajasthan,
- (2) a countervailing duty of Rs. 2.50 per bulk gallon on denatured spirit when imported into Rajasthan from any place in India outside Rajasthan under any licence granted under the said Act and also.
- (3) a permit fee of Rs. 2.50 per bulk gallon for denatured spirit manufactured outside India and imported for consumption in Rajasthan.

By Order of the Governor,  
G. S. PUROHIT,  
Secretary to Government.

Excise And Taxation Department

**NOTIFICATION**

Jaipur, March 10, 1958.

No. F. 1 (22 E & T/58/II).—In exercise of the powers conferred by Section 28 of the Rajasthan Excise Act 1950 (Rajasthan Act II of 1950), and in supersession of Notification No. F. 1 (2) E&T/56, dated the 16th January, 1957, published in the Rajasthan Gazette extraordinary dated the 16th January, 1957, the State Government hereby imposes with effect from the date of publication of this notification in the Rajasthan Gazette—

- (1) an excise duty at the rate of Rs. 50/- per L.P. Gallon on Indian made Foreign liquor manufactured at any place in the State of Rajasthan under any licence granted under the aforesaid Act in any distillery, pot still or brewery established or licensed under the aforesaid Act for consumption in the State, and
- (2) a countervailing duty on Indian made Foreign liquor at the rate of Rs. 50/-per L.P. Gallon when imported into the State from any place in India outside the State under any licence granted under the aforeside Act or rules made thereunder.—

By Order of the Governor  
G. S. PUROHIT,  
Secretary to the Government.

*Published in Raj. Raj-patra Dated May 29, 1958 part IV (c) at page 330 :*

Excise And Taxation Department

**NOTIFICATION.**

Udaipur, April 24, 1958.

No. F. 20 (3/1)/Ex/L/58.—In exercise of the powers conferred by Clause (iii) of sub-section (e) of section 42 of the Rajasthan Excise Act 1950, the Excise Commissioner, with the previous sanction of the Government and in supersession of previous Notification, on the subject, No. F. 4163/dated 22nd February, 1952 and in partial modification of Order No. C/74, dated 26th March, 1957 so far as it relates to the rates of Country Liquor and Hemp Drugs mentioned hereunder, is pleased to make the following rules, viz.—

1. No country liquor retail licensee shall sell liquor except of the varieties and strength specified below which alone are permitted to be manufactured by the various licensed distilleries of Rajasthan, for a price in excess of that shown against each variety:—

S. No.	Variety of liquor	Strength	Price per quart bottle
1.	Jagmohan	10 O.P.	Rs. 10.50 nP.
2.	Kesar Kasturi	5 U.P.	Rs. 6.75 nP.
3.	Rose	20 U.P.	Rs. 5.00 nP.
4.	Orange	25 U.P.	Rs. 4.50 nP.
5.	Plain (Green)	35 U.P.	Rs. 3.50 nP.
6.	Plain (colourless) as supplied to Hilly tracts in Udaipur Dn. and Udaipurwati of Jaipur Dn.	60 U.P.	Rs. 1.25 nP.
7.	(a) Plain (colourless) as supplied in the border areas of Chittor District (except the area of the former Partapgarh State) and whole of Kotah Dn. touching Madhya Pradesh. (b) Plain (Caramel colour) as supplied in the border areas mentioned above touching Madhya Pradesh.	25 U.P.	Rs. 4.50 nP.
8.	(a) Plain (colourless) as supplied in the border areas of Kushalgarh in Banswara District and the border areas of Former Partapgarh State touching Madhya Pradesh. (b) Plain (caramel colour) as supplied in the border areas mentioned above touching Madhya Pradesh.	60 U.P.	Rs. 1.62 nP.
2.	No. Hemp Drugs retail licence shall sell Hemp Drugs except that issued from the Government warehouses for a price in excess of that shown against each.	25 U.P.	Rs. 4.50 nP.
		60 U.P.	Rs. 1.22 nP.

Serial. Number	Hemp Drugs	Price
1.	Bhang.	Rs. 7.50 nP. per seer
2.	Ganja.	Rs. 1.50 nP. per tola
3.	Bhang, as supplied in the border areas touching Madhya Pradesh.	Rs. 8.50 nP. per seer
4.	Ganja as supplied in the border areas touching Madhya Pradesh.	Rs. 1.75 nP. per tola.

This shall take effect from the 10th March, 1958.

GULZARI LAL,  
Excise Commissioner

Published in Raj. Raj-patra Dated December 11, 1958 part IV (c) at page 1256 :

Jaipur. November 27, 1958

No. F. 37 (I) SR/53/C—In exercise of the powers conferred by section 10 (b) of the Rajasthan Excise Act, 1950 (Act II of 1950) the Government of Rajasthan does hereby order that with effect from the date of publication of this notification in the Rajasthan Gazette, the following officers of the State of Uttar Pradesh shall exercise within the District of Bharatpur the powers under sections 45 and 47 of the said Act in respect of intoxication drugs and liquor as defined in sections 3 (14) (15) thereof on the condition that the persons arrested and things seized shall be immediately handed over to the Excise Inspector of the Circle concerned, namely:—

- Assistant Excise Commissioner, I/C Charas and Ganja Squads, U. P. Allahabad, and
- Superintendent of Excise, Ganja Squad, Western Zone, Aligarh.

By Order of the Governor,  
G. S. PUROHIT,  
Secretary to the Government.

## *Notifications under*

### THE RAJASTHAN EXCISE ACT, 1950.

*Published in Raj. Rajpatra part IV (c) dated January 8, 1959 at page 1286*

## EXCISE AND TAXATION DEPARTMENT

### NOTIFICATIONS

*Jaipur, December 17, 1958*

No. F. 1 (6) ET/56-I.—In exercise of the power conferred by section 13 of the Rajasthan Excise Act, 1950 (Rajasthan Act No. II of 1950), the Government of the State of Rajasthan does hereby—

(a) direct that the words "Ganja and" occurring in the Notification No. F. 49 (8) SR/53, dated the 15th February, 1957 shall be deleted, and

(b) prohibit the import into, export from and transport within Rajasthan of Ganja by any person except by or on behalf of the Government for scientific purposes.

This shall take effect on and from the 1st April, 1959.

*Published in Raj. Rajpatra part IV (c) dated February 12, 1959 at page 1419-20*

## EXCISE AND TAXATION DEPARTMENT

### NOTIFICATIONS

*Jaipur, January 22, 1959.*

No. F. 1 (58) ET/58-II.—In exercise of the powers conferred by section 14 of the Rajasthan Excise Act, 1950 (Act No. II of 1950), and in supersession of notification No. F. 49 (1) SR/50, dated the 15th May, 1951, the Government of Rajasthan hereby prescribes for the whole of the State of Rajasthan except Abu area that the quantities of the following excisable articles which may be imported or exported without a pass by bona fide passengers for their personal consumption, shall not exceed the quantity specified against each namely:—

1. Country liquor	One quart bottle
(a) Foreign liquor other than beer, rectified spirit and denatured spirit.	Two quart bottles
(b) Beer and fermented liquor-	One imperial gallon or six quart bottles.
(c) Denatured & other commercial spirit.	One gallon or six quart bottles.
2. Ganja	One tola
4. Bhang	Ten tola

Jaipur, January 22, 1959.

No. F. I (58) ET/58/III.—In Pursuance of the provisions of sub-section (4) of section 19 of the Rajasthan Excise Act, 1950 (Act No. II of 1950) and in supersession of notification No. F. 3 (11) SR/50, dated the 20/30th June, 1951, the Government of Rajasthan hereby directs that notwithstanding anything contained in sub-section (1), (2) and (3) of the said section, no person shall take into or keep upon, any premises used as restaurant in the whole of the State of Rajasthan except Abu area any quantity of liquor unless such premises have been licensed for the consumption of liquor thereon under the said Act or the Rules made thereunder.

*Explanation.*—‘Restaurant’ means any place to which the public are admitted for the consumption of food or drink, for consideration.

Jaipur, January 23, 1959

No. F. I (58) ET/58/I.—In exercise of the powers conferred by sub-section (1) of section 5 of the Rajasthan Excise Act, 1950 (Act No. II of 1950), and in supersession of the notifications No. F. 49 (1) SR/50, dated the 15th May, 1951, No. F. 1 (40) ET/56, dated the 27th July, 1956 and No. F. 1 (6) ET/56, dated the 16th April, 1957, the Government of Rajasthan hereby declares with respect to the whole of the State of Rajasthan except the Abu Area and to all purchasers that the limit of sale by retail shall, for the purpose of the said Act, be as specified against each namely:—

1. Country Liquor	Three quart bottle.
2. (a) Foreign liquor other than beer, rectified spirit and denatured spirit	Four quart bottles.
(b) Beer and fermented liquor	Two imperial gallons or Twelve quart bottles.
(c) Denatured and other commercial spirit	One gallon or six quart bottles.
3. Ganja	Two tola.
4. Bhang	Twenty tola.

By Order of the Governor,  
G. S. PUROHIT,  
*Secretary to the Government.*

*Published in Raj. Raj-patra part IV (c) dated March 2, 1959 at page 181-183*

### Excise And Taxation Department

### NOTIFICATIONS

Jaipur, March 2, 1959.

No. F. I (20)/E& T./59/III.—In exercise of the powers conferred by section 28 and 31 of the Rajasthan Excise Act, 1950 (No. II of 1950), and in supersession of Notification No. F. 1 (22),

E & T./58/I, dated the 10th March, 1958 published in the Rajasthan Gazette, Extraordinary, dated the 10th March, 1958, the State Government is hereby pleased to impose with effect from the date of publication of this Notification in the Rajasthan Gazette:—

(1) an excise duty of Rs. 3/- per bulk gallon on denatured spirit when manufactured in any place in Rajasthan under any licence granted under the aforesaid Act or any distillery, potstill or brewery established or licensed under the aforesaid Act and consumed in Rajasthan,

(2) a countervailing duty of Rs. 3/- per bulk gallon on denatured spirit when imported into Rajasthan from any place in India outside Rajasthan under any licence granted under the said Act and also,

(3) a permit fee of Rs. 3/- per bulk gallon for denatured spirit manufactured outside India and imported for consumption in Rajasthan.

Jaipur, March 2, 1959.

No. F. 1 (20)/E&T/59/I.—In exercise of the powers conferred by section 28 of the Rajasthan Excise Act, 1950 (Rajasthan Act II of 1950), and in supersession of Notification no. F. 1(22)/ E & T /58/II, dated the 10th March, 1958, published in the Rajasthan Gazette, Extraordinary, dated the 10th March, 1958, the State Government hereby imposes with effect from the date of publication of the Notification in the Rajasthan Gazette—

(1) an excise duty at the rate of Rs. 60/- per L.P. Gallon on India made Foreign liquor manufactured at any place in the State of Rajasthan under any licence granted under the aforesaid Act in any distillery, pot-still or brewery established or licensed under the aforesaid Act for consumption in the State, and

(2) a countervailing duty on Indian made Foreign liquor at the rate of Rs. 60/- per L.P. Gallon when imported into the State from any place in India outside the State under any licence granted under the aforesaid Act or rules made thereunder:

Provided that in case of Indian made rum imported through the Canteen Stores Department for the Defence Service personnel stationed in Rajasthan, a countervailing duty at concessional rate of Rs. 12.50 p.p. per Gallon alone shall be charged if the same is obtained and supplied under the following conditions:—

(a) The supply of Indian made rum is obtained for the troops through the Canteen Stores Department (India) only and not through any other source.

(b) The supply of Indian made rum is made to the Canteen Stores Department (India) in bottles with the letters "C.S.D" embossed on them and bearing labels with the words

"for Military personnel only" conspicuously printed on them in red letters.'

(c) The supply is made according to the scale sanctioned by the Government of India.

(d) A separate account of all Indian made rum received through the Canteen Stores Department (India) at the concessional rate is maintained by the Military Canteen contractor holding the licence so that licence fee at the prescribed rate may be recovered from such contractor on sale of Indian made rum obtained by him from other sources.

By Order of the Governor,

G. S. PUROHIT

*Secretary to the Government.*

*Published in Raj. Raj-patra part IV (c) dated July 16, 1959 at page 334*

Jaipur, June 25, 1959.

No. F. I (5) E & T/59.—In exercise of the powers conferred by section 28 of the Rajasthan Excise Act, 1950 (Act II of 1950), the State Government is pleased to direct that the following amendment shall be made in this department Notification No. F. I (20) E & T/59/III, dated the 2nd March, 1959 published in the Rajasthan Gazette Extraordinary dated March 2, 1959, namely:—

#### AMENDMENT

In the said notification add the following proviso after item No. 1:—

Provided that the Excise Duty at a reduced rate of Re. 1/- per Bulk Gallon will be levied on denatured spirit manufactured in any place in Rajasthan and utilised within the State in the manufacture of 'French-Polish' in case,

- (a) the French-Polish is exported out of the State, and
- (b) Central Excise Duty is paid on the 'French-Polish'

By Order of the Governor,

G. S. PUROHIT,

*Secretary to the Government.*

*Published in Raj. Raj-patra part IV (c) dated July 23, 1959 at page 387-88*

#### EXCISE AND TAXATION DEPARTMENT

#### NOTIFICATIONS

Jaipur, June 30, 1959.

No. D. 2230/59/F. (1)(20) ET/59.—In exercise of the powers conferred by section 28 of the Rajasthan Excise Act, 1950 (Rajasthan Act II of 1950) the State Government does hereby make the following amendment in this department notification No. F. I (20) ET/59-I, dated the 2nd March, 1959 published in the Rajasthan

Raj-patra Extraordinary, part IV-C dated the 2nd March, 1959 and to order that it shall take effect from the 2nd March, 1959, namely:-

### AMENDMENT

In the said notification:-

1. After clause 2 of the said notification, the following proviso shall be substituted for the existing one—

“Provided that in case of Indian Made Rum obtained through the Canteen Stores Department for the Defence Services Personnel Stationed in Rajasthan, an excise duty or a countervailing duty as the case may be at the concessional rate of Rs. 12.50 nP. per L. P. gallon shall be charged if the same is obtained and supplied under the following conditions.

2. For the condition (d) of the said proviso the following shall be substituted.

“(d) A separate account of Indian Made Rum received through this Canteen Stores Department (India) at the concessional rate is maintained.”

Jaipur, July 4, 1959.

No. D 2158/59/F. 1 (2) SR/52.—In exercise of the powers conferred by sub-section (2) of section 71 of the Rajasthan Excise Act, 1950 (Act No II of 1950), the State Government is pleased to make the following amendment in this department Notification No. F. 1 (2) SR/52, dated the 18th September, 1958 published in the Rajasthan Rajpatra, part IV-C, dated the 9th October, 1958, namely

### AMENDMENT

For part 2 of the said notification the following shall be substituted:-

“Permits for duty free rectified spirit and absolute alcohol shall be issued by the Deputy Commissioners, Excise and Taxation within the annual limits fixed by the Excise Commissioner, on receipt of requisitions for the same duly signed by a Principal, Head Master, District Medical and Health Officer or any other person of similar status as the case may be.”

By Order of the Governor,

G. S. PUROHIT,  
Secretary to the Government.

Published in Raj. Raj-patra part IV (c) dated February 18, 1950 at page 1204-05

Excise and Taxation Department

NOTIFICATIONS

Jaipur, November 23, 1959.

No. D. 6774/58 F.37 (1) SR/53-II.—In exercise of the powers conferred by section 10 (b) of the Rajasthan Excise Act, 1950 (Act II of 1950), and in suppression of the notification No. F. 37 (1) SR/53/II dated the 18th January, 1958, the Government of Rajasthan does hereby order that with effect from the date of publication of this notification in the Rajasthan Gazette the following officers of the State of Punjab shall exercise within the districts of Rajasthan shown against them respectively, the powers under section 45 and 47 of the said Act in respect of intoxicating drugs and liquor as defined in section 3 (14) and (15) thereof on the condition that the persons arrested and things seized shall be immediately handed over to the Excise Inspector of the Circle concerned, namely:—

Officers.

District of Rajasthan.

- |   |  |
|---|--|
| 1. Excise and Taxation Officer, the Assistant Excise and Taxation Officer, Excise Inspector and Excise sub-Inspector posted in— |  |
| (a) Hisar District  | (a) Ganganagar, Churu and Jhunjunu District.                       |
| (b) Gurgaon District.   | (b) Alwar and Bharatpur Distts.                                    |
| (c) Firozpur District.  | (c) Ganganagar District.   |
| (d) Mahendargarh District   | (d) Sikar, Jhunjunu and Alwar Districts.                           |
| 2. Staff of the Excise Intelligence Bureau not below the rank of Excise Sub Inspector and Police Sub-Inspector.                 | Ganganagar, Churu, Alwar, Sikar, Jhunjunu and Bharatpur Districts. |

exported outside the State and Central Excise Duty is paid thereon.

- (2) Provided that in case it is imported into Rajasthan and utilised within the State in the manufacture of French Polish, in case the French Polish is exported out side the State; and Central Excise Duty is paid on the French Polish.

(2) Countervailing duty on the excisable articles specified in para 1 above, manufactured in India and imported into the State at the same rates as mentioned against each in the said para, on pre-payment of duty or if under bond when the bond is broken:

Provided that in case denatured spirit manufactured out side India is imported for consumption in State a permit fee of Rs. 1.00 nP. per litre shall be charged.

By Order of the Governor  
S. P. SINGH BHANDARI,  
*Secretary to the Government.*

*Published in Raj. Raj-patra part II(a) dated August 17, 1961 at page 167 :*

*Office of the Commissioner, Excise & Taxation, Rajasthan  
Udaipur.*

#### NOTIFICATION

*Udaipur, July 11, 1961.*

No. 7208 EXG/C1-62—In exercise of the powers conferred by Notificaton under sub-section (3) of Section 9 of the Rajasthan Excise Act, 1950 (Act II of 1950) and in supersession of previous Notification No. 746/750 dated the 28th May, 1951, I hereby authorise the following officers to exercise my powers to the extent and under sections mentioned against each :—

- |                                   |   |
|-----------------------------------|---|
| 1. Deputy Commissioner<br>Excise. | Section 46 and sec.<br>(67) (1) (b) in so far<br>as a complaint or the<br>report is not for off-<br>ences under section<br>60 and section 61.       |
| 2. Asstt. Commissioner<br>Excise. | Section 46 (a) section<br>67 (1) (b) in so far as<br>a complaint or the<br>report is not for off-<br>ences under sections<br>60 and 61, and 69 (3). |

A. N. DAVID.  
*Commissioner, Excise and Taxation.  
Raj, Udaipur*

Published in Raj. Raj-patra part IV (c) dated March 31, 1962 at page 344 :

Jaipur, March 31, 1962.

No. F. 1(16) E&T/62.—In exercise of the powers conferred by section 28 and 31 of the Rajasthan Excise Act, 1950 (Act 2 of 1950), and in partial modification of Notification No. F. 1 (87) E&T/59-III, dated the 30th November, 1961 the State Government hereby imposes excise duty and countervailing duty at the rates specified against each on the following excisable articles manufactured in any place in Rajasthan under any license granted under the aforesaid Act or rules made thereunder or in any distillery, pot still or brewery established or licensed under the aforesaid Act or rules made thereunder;—

- (1) (i) Indian made foreign spirit (including liquors and fermented liquors containing more than 42% of proof spirit, except denatured spirit ..... ..... ..... Rs. 14.00 per L. P. Litre.  
 (ii) Indian made Rum for the Defence Service personnel stationed in Rajasthan obtained and supplied under the following conditions: ..... ..... ..... Rs. 3.00 np. per L. P. Litre,  
 (1) the supply is according to the scale sanctioned by the Government of India and is through the Canteen Stores Department (India) and not through any other source;  
 (2) the supply is in bottles with the letters 'C.S.D.' embossed on them and bearing labels with the words "For Military Personnel only" conspicuously printed on them in red letters ,and  
 (3) a seperate account for such supplies is maintained.  
 (iii) Beer and Indian Made fermented liquors containing not more than 42% of proof spirit ..... ..... ..... 0.35 nP. per bulk Litre.

(2) Countervailing duty on the excisable articles specified in para 1 above, manufactured in India and imported into the State at the same rates as mentioned against each in the said para, on pre-payment of duty or if under bond when the bond is broken:

Provided that in case denatured spirit manufactured outside India is imported for consumption in State a permit fee of Rs. 1.00 nP. per Litre shall be charged.

This shall come into force on the 1st April, 1962.

By Order of the Governor,  
S. P. SINGH BHANDARI.  
*Secretary to the Government.*

Published in Raj. Raj-patra part IV (c) dated October 31, 1962 at page 377 :

*Finance (Revenue & Economic) Affairs Department*

### NOTIFICATIONS

*Jaipur, October 31, 1962.*

No. F. 3 (2) SR/54-I (Pt. II).—In exercise of the powers conferred by sub-section (1) of section 5 of the Rajasthan Excise Act,

1950 (Rajasthan Act 2 of 1950) and in partial modification of the Excise and Taxation Department notification No. F. 1 (87) E&T/59/II, dated the 30th November, 1961, the State Government hereby declares that with respect to all the territories of the State of Rajasthan to which the said Act extends and as regards the purchasers who are foreign tourists holding all India liquor permits issued by the Indian Missions abroad or by the Director or Assistant Director of the Government of India Tourists Office, Bombay, Calcutta, Delhi or Madras, four units of liquor a month shall for purposes of the said Act be the limit of sale by retail subject to the condition that the sale during any one week shall not exceed two units.

Note:—One unit of liquor for purposes of this notification shall be construed as equal to any of the following or to metric equivalents thereof, namely;—

- (i) One quart bottle of spirit, or
- (ii) Two quart bottles of wines, or
- (iii) Nine quart bottles of fermented liquors of a strength exceeding two per cent of alcohol by volume, or
- (iv) Twenty seven quart bottles of fermented liquors of a strength not exceeding two per cent of alcohol by volume.

*Jaipur, October 31, 1962.*

No. F. 3 (2) SR/54-II (Pt. II).—In exercise of the powers conferred by section 14 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950) and in partial modification of Excise and Taxation Department notification No. F. 1 (87) E&T/59/II, dated the 30th November, 1961 the State Government hereby prescribes, generally for all the territories of the State of Rajasthan to which the said Act extends,—

- (a) Two units to be the maximum quantity for import, and
- (b) four units to be the maximum quantity for export or transport,

without a pass issued under section 15 of the said Act, for personal use by foreign tourists holding all India liquor permits issued by Indian Missions abroad or by the Director or Assistant Director of the Government of India Tourist Office, Bombay, Calcutta, Delhi or Madras.

Note:—One unit for the purposes of this notification shall be construed as equal to any of the following or the metric equivalents thereof namely;—

- (i) One quart bottle of spirit, or
- (ii) Two quart bottles of wines, or
- (iii) Nine quart bottles of fermented liquors of a strength exceeding two per cent of alcohol by volume, or
- (iv) Twenty seven quart bottles of fermented liquors of a strength not exceeding two per cent of alcohol by volume.

*Jaipur. October 31. 1962.*

No. F. 3 (2) SR/54-III (Pt.II).—In exercise of the powers conferred by section 6 of the Bombay Prohibition Act, 1949 (Bombay Act 25 of 1949) as in force in Abu Area, the State Government hereby makes the following amendment in the Excise & Taxation Department notification No. F. 3 (2) SR/54, dated the 15th March, 1960 as amended by the notification of even number dated the 12th October 1960, hereinafter referred to as the said notification, namely:—

### AMENDMENT

In the said notification, after entry No. 6, the following new entries shall be inserted, namely:—

- |  |      |   |
|--|------|---|
| 7. Director or Assistant Director -do-<br>of the Government of India<br>Tourist Office, Bombay,<br>Calcutta, Delhi and Madras. | -do- | Section 46-A-power to grant<br>tourists, permits to consume<br>use and buy foreign liquor to<br>a person who is a foreign<br>tourist. |
| 8. Officers of the Indian Missions -do-<br>abroad authorised to issue<br>visas.  | -do- |   |

*Published in Raj. Raj-patra part IV (c) dated December 10, 1962 at page 547 :  
 Finance (Revenue & Economic Affairs Department).*

### (Revenue Section)

### NOTIFICATION

*Jaipur, December 10, 1962.*

No F. 1 (16) E. & T./62/I.—In exercise of the powers conferred by section 28 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950), and in partial modification of Notification No F. 1 (16) E. & T./62 dated March 31, 1962, the State Government hereby imposes with immediate effect:—

- (1) an excise duty at the rate of Rs. 17.50 nP. per L. P. litre on Indian Made Foreign Spirit (including liquors and fermented liquors containing more than 42% of proof spirit, except denatured spirit) manufactured at any place in the State of Rajasthan under any licence granted under the aforesaid Act or rules made thereunder, in any distillery, potstill or brewery established or licensed under the aforesaid Act or rules made thereunder, and
- (2) a countervailing duty on the excisable articles specified in (1) above, manufactured in India and imported into the State at the same rates as mentioned in (1) above on pre-payment of duty or if under bond when the bond is broken.

## *Notifications under*

### **RAJASTHAN EXCISE ACT, 1950**

**Notification No F. 1 (99) E & T/60.**—In exercise of the powers conferred by sub-section (3) of section 9 of the Rajasthan Excise Act, 1950 (Rajasthan Act II of 1950), the State Government hereby authorises the Excise Commissioner to delegate to the Additional Excise Commissioner all or any of his powers under the said Act.

[Pub. in Raj. Gaz. Part I (Kha) dated 14-11-1963 Page 556]

**Notification No. F. 66 (5/6) Ex. G.**—In exercise of the powers conferred by sub-section (3) of section 9 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950) read with Government of Rajasthan, (Finance Rev. & Eco. Affairs) Department Notification No. F. 1 (99) ET/60 dated the 8th November, 1963 I hereby delegate all my powers under the Rajasthan Excise Act, 1950, (Rajasthan Act II of 1950) to the Additional Excise Commissioner.

[Pub. in Raj. Gaz. Part I (Kha) dated 14-11-1963 Page 556]

**Notification No. F. 11 (73)FD/(RT)/64.**—In exercise of the powers conferred by sub-section 1A (ii) of section 9 of the Rajasthan Excise Act, 1950, the State Government hereby orders that the following Assistant Commissioners, Excise and Taxation, shall exercise the powers and perform the duties assigned to them under the said Act and the rules made thereunder within the local limits and headquarters as indicated against each:—

1.	Assistant Commissioner,	Ajmer	The Revenue District of Ajmer Head Quarter, Ajmer.
2.	„	„ Jaipur	The Revenue District of Jaipur Head Quarter, Jaipur.
3.	„	„ Jhunjhunu	The Revenue Districts of Sikar- Jhunjhunu. Head Quarter, Jhunjhunu.
4.	„	„ Alwar	The Revenue Districts of Alwar Bharatpur. Head Quarter, Alwar.
5.	„	„ Tonk	The Revenue Districts of Tonk Sawai Madhopur. Head Quar- ter Tonk.
6.	„	„ Udaipur	The Revenue Districts of Udaip- ur Dungarpur. Head Quar- ter, Udaipur.

7.	Assistant Commissioner, Partapgarh	The Revenue Districts of Chittorgarh-Banswara. Head Quarter at Partapgarh.
8.	„ „ „ Bhilwara	The Revenue Districts of Bhilwara. Head Quarter Bhilwara
9.	„ „ „ Kota	The Revenue Districts of Kota Bundi-Jhalawar. Head Quarter Kota.
10.	„ „ „ Bikaner	The Revenue Districts of Bikaner-Churu. Head Quarter Bikaner.
11.	„ „ „ Ganganagar	The Revenue Districts of Ganganagar. Head Quarter Ganganagar.
12.	„ „ „ Jodhpur	The Revenue Districts of Jodhpur-Jaisalmer. Head Quarter Jodhpur.
13.	„ „ „ Jalore	The Revenue Districts of Sirohi-Jalore-Barmer. Head Quarter Jalore.
14.	„ „ „ Nagaur	The Revenue Districts of Pali-Nagaur. Head Quarter Nagaur

[Finance Department Notification, dated 4-5-64 published in Rajasthan Gazette, Extraordinary, Part IV (Ga) dated 4-5-1964].

Finance (Rev. and Eco. Affairs) Dept.

Jaipur, October 5, 1964

Notification No. F. 3 (2) S R /54/Part (ii)-I.—In exercise of the powers conferred by section 14 of the Rajasthan Exercise Act 1950 (Rajasthan Act 2 of 1950) the State Government hereby makes the following amendment in this Department Notification No. F. 3 (2) S. R./54/II (Part II) dated 31st October, 1962, Published in Raj. Raj-patra Part IV (c) dated 31-10-62 namely:—

#### AMENDMENT

In the said notification, between the words "Indian Missions abroad" and "or by the Director" the words "or by the Directors/Assistant Directors in the Government of India Tourist offices abroad" shall be inserted.

[Pub. in Raj. Gaz. 4 (Ga) Dt. 7-1-64-Page 699]

Finance (Rev. and Eco. Affairs) Dept.

Jaipur, October 5, 1964

Notification No. F. 3 (2) S. R./54/Pt. II-3—In exercise of the powers conferred by sub-section (1) of section 5 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950), the State Government hereby makes

the following amendments in this Department Notification No. F. 3 (2) S. R./54 I (Pt. II) dated the 31st October, 1962 published in Rajasthan Raj-patra Part IV (C) dated the 31st October, 1962 namely:—

In the said notification,—

1. between the words "Indian Missions abroad" and "or by the Director" the words "or by the Directors/Assistant Directors in the Government of India Tourist Offices abroad" shall be inserted;
2. for the words "four units of liquor", the words "six units of liquor" shall be substituted;
3. for the words "not exceed two units", the words "not exceed one and half units" shall be substituted.

[Pub. in Raj. Gaz. 4 (Ga)-Dt. 7-1-64-Page 699]

Finance (Rev. & Eco. Affairs) Department  
(General-Cum-Recovery Section)

Jaipur, December 21, 1964,

Notification No. F. 1. (43) E. & T/63.—In pursuance of subsection (2) of section 44 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950), the State Government hereby specially empowers every Excise Officer not below the rank of a District Excise officer to stop without reference to a Magistrate, for reasons to be recorded by him in writing, any further proceedings against any person concerned or supposed to be concerned in any offence punishable under the said Act into which he has investigated.

[Pub. in Raj. Gaz. 4 (Ga)-Dt. 4-3-65-Page 806 (5)]

Finance (Rev. & Eco. Affairs Department)  
(Excise Section)

Jaipur, November 1, 1965

Notification No. F. 1 (26) FD/Ex/65.—In exercise of the powers conferred by section 28 and 31 of the Rajasthan Excise Act, 1950 (Rajasthan Act, 2 of 1950). and in supersession of Notifications No. F. 1 (78) ET/63 dated 12-2-64 and No. F. 1 (28) FD/Ex/65; dated 6-3-65, the State Government hereby imposes Excise Duty on the following excisable articles manufactured in Rajasthan under any licence granted under the aforesaid Act or Rules made thereunder or in any distillery pot-still or brewhouse established or licensed under the aforesaid Act or Rules made thereunder, and countervailing duty on such excisable articles imported into the State, at the rate specified below:—

1. Excise Duty—

(A) When exported out of the State:—

- (i) Indian made foreign liquor except denatured spirit and denatured spirituous preparations .... Rs. 0.10 per L.P. litre.

- (ii) Denatured Spirit .... Rs. 0.03 per litre.
- (iii) Denatured spirituous preparations prepared from spirit, distilled in the same distillery .... Rs. 0.25 per litre.
- (iv) Denatured spirituous preparations not covered by (iii) .... Rs. 0.65 per litre.

**(B) When consumed in the State:—**

- (i) Indian made foreign spirit (including liquors and fermented liquors) containing more than 42% of proof spirit, except denatured spirituous preparations .... Rs. 18.50 per L.
- (ii) Indian made Rum for Defence Service personal stationed in Rajasthan, obtained and supplied under the following conditions, namely:  
The supply is according to the scale sanctioned by the Government of India and is through the Canteen Stores Department (India) and not, through any other source; the supply is in bottles with letters "CSD" embossed on them and bearing labels with the word "for Military personnel only" conspicuously printed on them with red letters; and separate account is maintained for such supplies .... Rs. 3.00 per L.P. litre.
- (iii) Beer and Indian made fermented liquor containing not more than 42% of proof spirit except denatured spirit and denatured spirituous preparations .... Rs. 0.80 per litre.
- (iv) Denatured spirit and denatured spirituous preparations .... Rs. 1.40 per litre.

**2. Countervailing Duty:—**

To be prepaid before import or if import is under bond to be paid when the bond is broken      On the various exciseable articles at the rates shown for Excise duty as mentioned against each under para I.

Finance (Revenue & Economic Affairs) Department  
(Excise Section)

Jaipur, May 29, 1967.

**Notification No. F. 1 [20] FD/EX/67.**—In exercise of the powers conferred by section 28 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950) and in supersession of Notification No. F. 1 (26) FD/EX/65, dated the 1st November 1965 and Notification No F. 1 (114) FD/EX/65, dated February 17, 1966, the State Government hereby imposes, with immediate effect, excise duty on the different varieties of country Liquor manufactured in Rajasthan under any licence granted under the aforesaid Act or the Rules made thereunder, or in any distillery, pot-still licenced under the aforesaid Act or the Rules made thereunder at the rates specified below:—

S No.	Variety of country liquor	Strength	Rate of excise duty per L.P. litre.
1	2	3	4
Rs. P.			
1.	Kesar Kasturi	.... .... 5 U.P.	16.23
2.	Rose	.... .... 25 U.P.	14.18
3.	Sonf	.... .... 30 U.P.	14.11
4.	Ginger	.... .... 25 U.P.	12.81
5.	Orange	.... .... 25 U.P.	12.81
6.	Malta	.. .... 25 U.P.	12.81
7.	Plain (Green Colour)	.... 40 U.P.	10.78
8.	Pineapple	.... .... 45 U.P.	10.75
9.	Plain (Dark caramel colour)	45 U.P.	7.16
10	Plain (Light caramel colour)	60 U.P.	7.10

[ Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 29-5-67—Page 180 ]

Finance (Rev. & Eco. Affairs) Department  
(Excise, General-cum-Recovery Section)

Jaipur, September 27, 1965.

**Notification No. F. 1 (32) E&T/60/3332.**—In exercise of the powers conferred by sub-section (2) of section 4 of the Rajasthan Excise Act 1950 (Rajasthan Act II of 1950), the State Government is pleased to declare that for the purposes of the said Act, the variety of country liquor hitherto known or termed as Jagmohan' shall be deemed to be Indian made Foreign Liquor.

[Pub. in Raj. Gaz. 4 (Ga)-Dt. 11-11-65-Page 377]

Finance (Rev. & Eco. Affairs) Department  
 Excise, Gen. Cum Recovery Section

Jaipur, February 15, 1966

**Notification No. F. 1 (114) FD (Ex)/65**—In exercise of the powers conferred by sub-section 2 of section (4) of the Rajasthan Excise Act, 1950 (Rajasthan Act II of 1950), the State Government is pleased to declare that for the purpose of the said Act a new variety of liquor termed as "Malta" liquor of the strength of 25 U.P. based on rectified spirit shall be deemed to be country liquor.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 15-2-66—Page 1148]

Finance (Rev. & Eco. Affairs Department  
 (Excise General-cum-Recovery Section)

Jaipur, February 19, 1966.

**Notification No. F. 1 (57) FD/Ex /65**—In exercise of the powers conferred by sub-section (2) of section 71 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950), the State Government hereby rescinds this Department Notification No F. 1 (57) FD/Ex./65, dated the 6th January, 1966, with effect from the 28th day of February, 1966.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 19-2-66—Page 1154]

Finance (Rev. & Eco. Affairs) Department  
 (Excise Section)

Jaipur, May 29, 1967.

**Notification No. F. 1 (20) FD/Ex '67.**—In exercise of the powers conferred by sub-section 2 of section 4 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950), the State Government is pleased to declare that for the purpose of the said Act two new varieties of liquor named as "Sonf" liquor on gur-base and "Pineapple" liquor on rectified spirit base with the Strength of 30 U. P. and 45 respectively shall be deemed to be Country Liquors.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 29-5-67—Page 185]

Finance Department  
 (Excise, General-cum-Recovery Section)

Jaipur, July 1 1967

**Notification No. F. 3 (93) FD/Ex/66/1992.**—In exercise of the powers conferred by sub-section (1A) of section 9 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950), and in supersession of all previous notifications issued in this behalf, the State Government hereby appoints the officers specified in column No. 2 of the Table appended hereto as District

Excise Officers incharge of districts, with headquarters at the places, specified against each in columns No. 3 and 4 thereof.

Table

S.No	Designation of officers.	Revenue Districts of with the officer sha be incharge of	Headquarters
1	2	3	4
1	District Excise Officer, Jaipur	Jaipur, Sikar and Jhunjhunu	Jaipur
2.	—do— Alwar	Alwar and Bharatpur	Alwar
3.	—do— Bikaner	Bikaner, Churu and Nagaur	Bikaner
4.	—do— Ajmer	Ajmer, Tonk and Sawaimadhopur	Ajmer
5.	—do— Ganganagar	Ganganagar	Ganganagar
6.	—do— Jodhpur	Jodhpur, Jaisalmer and Barmer	Jodhpur
7.	—do— Jalore	Jalore, Sirohi and Pali	Jalore
8.	—do— Chittorgarh	Chittorgarh and Bhilwara	Chittorgarh
9.	—do— Kota	Kota, Bundi and Jhalawar	Kota
10.	—do— Udaipur	Udaipur, Dungarpur and Banswara	Udaipur

{Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 1-7-67—Page 337}

Finance (Rev. & Eco. Affairs) Department  
Excise, General-cum-Recovery Section  
Jaipur, October 17, 1966

**Notification.**—In exercise of powers conferred by section 28 of the Rajasthan Excise Act, 1950 (Act II of 1950), the State Government is pleased to direct that the following amendment shall be made in this Department Notification No. F. 1 (5) E&T/50, dated 25th June, 1959 published in Rajasthan Gazette, Part IV (C), dated 16-7-1959, namely:—

In the proviso to the said Notification, after the words "will be levied" and before the words "on denatured spirit" the following words shall be added 'from 6th August, 1958'.

[Pub. in Raj. Gaz. Ex. 4 (Ga) Dt. 17-4-67—Page 147]

## Finance Department

## Excise Section

Jaipur, September 29, 1967

**Notification No. F. 1 (62) FD/Ex/67/3012.**—In exercise of the powers conferred by sub-section (4) of section 19 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950) read with section 13 thereof the State Government hereby prohibits, with effect on and from the 2nd day of October, 1967 possession by all persons, in import into, transport within, the area on the Gujarat border comprising village specified in the schedule appended hereto, of liquor subject to the conditions specified in the Rajasthan Liquor Prohibition Rules, 1967.

**Explanation.**—For the purpose of this notification, “village” shall have the meaning assigned to it in clause (v) of section 3 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956).

## The Schedule

## [ List of villages in the prohibited area ]

S. No.	Name of villages	S. No.	Name of villages	S. No.	Name of villages
1	2	1	2	1	2

## District Barmer

## Tehsil Chotthan

1 Bakhaser	2 Balgaon	3 Chandasani
4 Tarisara	5 Bawarwala	6 Hathla
7 Suhaji Charnan	8 Mogava	9 Sata
10 Meethdi	11 Bagawas	12 Bhanvariya
13 Navapura	14 Podarwali	15 Regwali
16 Gira	17 Didava	18 Khari
19 Pocharla	20 Savlasi	21 Ambava
22 Tarala	23 Arti	24 Moolani
25 Lakdasar	26 Ekal	27 Dudawa
28 Bhada		

## District Banswara

## Tehsil Bagidora

1 Chhaja	2 Kobi	3 Bidi
4 Damjara	5 Kujela	6 Baikata
7 Jatia Peda	8 Navata Para	9 Nava Gaon
10 Ketheria	11 Kaglia	12 Borbhatoda
13 Udaipura Bada	14 Boda Talai	15 Fichawada
16 Bada Talav	17 Thapada	18 Pitha Pura
19 Sagram Pura	20 Udisipura Chhota	21 Gamir Pura
22 Ratan Pura	23 Gamir Pura	24 Kataraka Talav
25 Bhavan Pura	26 Arjun Pura	27 Rata Pan

28	Jalam Pura	29	Bora Khandi	30	Parwali
31	Chordi	32	Takha	33	Patiyagaliya
34	Rajpura	35	Bavadi Duda	36	Patia Kodhar
37	Bhalare Chamana	38	Bhalare Damar	39	Bhalare Bhudher
40	Khutan Garawat	41	Dalpura	42	Dokar
43	Vanda	44	Muldi Khuta	45	Piplaia Duda
46	Dandav	47	Tamria	48	Serawala
49	Nana Bhukhiya	50	Ubapan	51	Sera Nagla
52	Nalar Pura	53	Ummepura	54	Sundrao
55	Dhanewa Chhota	56	Dhanewa Bada	57	Chhapara
58	Kajaliya	59	Tori	60	Chadar Wada
61	Khuta Pargi	62	Kanela	63	Samisara
64	Patiya	65	Rohniya	66	Taraliya
67	Talawadi	68	Pachor	69	Kelkuva
70	Latiyapar	71	Ratitalai	72	Chhayana
73	Kakra Dugri	74	Puchiva Wada	75	Barjariya
76	Bokhariya	77	Rupa Kheda	78	Chothmal
79	Kumariya	80	Mudkolamogji	81	Mudkla Matton
82	Bhamriya	83	Kupdi	84	Mundari
85	Dopiya	86	Pat	87	Aumba
88	Khuti Chandana	89	Badliya	90	Jer
91	Aumla	92	Khatava	93	Temran
94	Gamana	95	Kadtha	96	Bhukhiya
97	Dhanku	98	Dad	99	Bavadi
100	Kasaumbiya	101	Pandol	102	Khuta Chandama
103	Kalwada	104	Amliya		
105	Aumba Dera	106	Patan Wadara	109	Saravai
107	Meva Pader	108	Nani Pader	112	Pattiwada
110	Haleda	111	Gatroad	115	Juni Tambi
113	Falva	114	Sharda	118	Chikli Teja
116	Taj Pura	117	Chikli Puna	121	Gamana
119	Chikali Badra	120	Difore	124	Kaljiara
122	Obala	123	Khuta Lalupargi	127	Bor Talai
125	Doogri	126	Pandera	130	Juna Bnandariya
128	Hamirpura Chhota	129	Chhola Kheriya	133	Ghati Gada
131	Naya Bhandariya	132	Naga Wada	136	Saredi Bhilan
134	Rakho	135	Suwala	139	I ala Vada
137	Khuta Machhar	138	Leelwari	142	Umaid Gadi
140	Nall	141	Raigniya	145	Dabari
143	Nogama	144	Shergarh	148	Tanda
146	Chelkari	147	Rohniya	151	Ameriya Pada
149	Saliya	150	Jagpura	154	Kunda
152	Bedad	153	Godiya	157	Nani Tandi
155	Rupa Khedo	156	Moahi Tandi	160	Dhalar
158	Bakaner	159	Panchal	163	Khuti Bijiya
161	Munna Kheda	162	Rohan Wadi	166	Guda
164	Khodali	165	Ghuliagarh		

167	Nava Gaon	168	Kharsana	169	Hadmat
170	Kheriya	171	Ratanpuraki Tori	172	Mori Timbi
173	Amarpuaa	174	Bhura Timba Bada	175	Wag Khora
176	Gamirpura	177	Gamaniya Hamira	178	Ram ka Munna
179	Full Pari	180	Chhaiki talai	181	Ghagad Talia Juri
182	Bhoga Pura	183	Charkani	184	Raipura
185	Borkunda	186	Gagod Talai	187	Bhandara
188	Gamaniya Moti	189	Khuti Narji	190	Khuti Jalimiya
191	Khuti Kanji	192	Munna Doogri	193	Jogiwada
194	Jhaiharwakalan	195	Dagal	196	Sodala Chamr
197	Sodla Dudha	198	Kupda	199	Kupdi
200	Jumboodi	201	Gadheriya	202	Khuta Virji
203	Jhaiharva Chhota	204	Pinali Jugda	205	Kharadi
206	Bhure Sair	207	Sagariya	208	Handi
209	Sagan	210	Kundla	211	Chhapra
212	Sandnani	213	Lakai	214	Hudmatiya
215	Borda Bara	216	Jher Mothi	217	Jher Nani
218	Chita Thala	219	Mahadi Khela	220	Rola
221	Huta Dalji	222	Gamanamala	223	Shivpura
224	Sallopatta	225	Munna Dugar	226	Tarkya
227	Pacham Huda	228	Pola Pan	229	Bajiar
230	Khutta Galiya	231	Gadli	232	Send Motti
233	Dungeriya Ki Sair	234	Bagidora	235	Dabari Deva
236	Varet				

**Tehsil—Gadhi**

1	Kuvaliya	2	Aujana	3	Dhani
4	Badiya	5	Had Matiya	6	Vakhat Pura
7	Nava Gaon .	8	Akpura	9	Nav Dhara
10	Vyali Talia	11	Govindpura	12	Bhatra
13	Nahali	14	Lalpura	15	Kalali Khutta
16	Odava	17	Nadhariya	18	Kodwal
19	Lokiya	20	Vadikhen	21	Todi Nani
22	Todi Motti	23	Podla	24	Udaila
25	Garanavat	26	Vassimotti	27	Kushal Kot
28	Bhagatpura	29	Sarenpura	30	Bhanu Ka Pada
31	Gusia Ka Pada	32	Kesarpura	33	Sigado Ka Parda
34	Oda	35	Davela	36	Kotda
37	Itawa	38	Bildi	39	Piplara
40	dattedi	41	Pachoda	42	Bhesau
43	Tadikhurd.				

**Tehsil—Kushalgarb**

1	Jagola	2	Chanawala	3	Padiyapore
4	Bor Bhatod	5	Bala Sindoor	6	Bildi
7	Bichhvada	8	Ghadka	9	Bal Diya
10	Gadli	11	Mundri Pada	12	Bhatt Mahudi

13	Timbeda Kalan	14	Timbeda Khurd	15	Pernala
16	Jhikri	17	Ranjeetgarh	18	Bhimgarh
19	Kajalpur	20	Bakaner	21	Borkhedi
22	Lunawada	23	Vadali Pada	24	Kakra Dugri
25	Badwos Badi	26	Badwas Chhoti	27	Biharipura
28	Mundari	29	Nathpura	30	Udaigarh
31	Raga Pada	32	Rohniya	33	Nisnawat
34	More	35	Jamrai	36	Bhandariya
37	Mor	38	Kushalgarh	39	Sunariya
40	Shikarvadi	41	Bhagatpura	42	Gala Pada
43	Kushal Pada	44	Full Pari	45	Undva
46	Sarel	47	Akhepur	48	Khedpur
49	Garnavat	50	Nagda Kala	51	Nagda Khurd
52	Richhwani	53	Badli Pada	54	Hindoliya
55	Khakhariya	56	Kotdi	57	Baggayacha
58	Suliya	59	Bansdi	60	Bhamarkat
61	Galwani	62	Padla	63	Dhartala
64	Ramgarh	65	Kakanwani	66	Hindoliya
67	Udaigarh	68	Kalijara	69	Bharatgarh
70	Potaliya	71	Ratimatudi	72	Chokhad
73	Umrvat	74	Himatpura	75	Tadawadla
76	Odi	77	Joda	78	Ookala
79	Khajura	80	Billipada	81	Jalampuri
82	Vassunikala	93	Dugarbheet	84	Jhapa Mahudi
85	Kani Gara	86	Bar Khedi	87	Chuli
88	Dhanpuri	89	Dugri Pada	90	Pipli Pada
91	Divdha Sath	92	Kheda	93	Tommatt
94	Rati Mohudi	95	Sasa Vadla	96	Latariya Kala
97	Vagal	98	Bagayacha	99	Sakeda
100	Pali Kala	101	Pali Khurd	102	Charkani
103	Choki Dumri	104	Todi	105	Magarda
106	Khatela	107	Aumali Pada	108	Kasumba
109	Tambesara	110	Rangi	111	Khedia
112	Timba Mahudi	113	Tindia Dev	114	Navagam
115	Rupakhera	116	Simela	117	Rupa Pada
118	Chitrada	119	Lohariya Khurd	120	Khadiya Sath
121	Talava	122	Dugra Wani	123	Nani Ka Sath
124	Palkpada	125	Biya Pada	126	Koie Doban
127	Karmi	121	Himmatgarh	129	Bagayachha
130	Full Fari	131	Satsera Bamni	132	Sansara Khalsa
133	Sadariya	134	Borkunda	135	Chora Khurd
136	Chpla Kala	137	Imali Jharan	138	Bochdada
139	Gundli Kala	140	Kasar Vadi	141	Todi
142	Muska Kala	143	Muska Khurd	144	Bavalipa Pada
145	Nal Pada	146	Matta Pada	147	Bhandariya
148	Badali Pada	149	Kigaan Pada	150	Dugra Khurd

151	Dugra Kala	152	Bhat Khedi	153	Harendragarh
154	Samji Pada	155	Balgan	156	Rawata Sath
157	Damaseeth	158	Sarsipada	159	Kodla Mal
160	Kundiya	161	Basadi Para	162	Bhura Kurm
163	Karod	164	Shambhu Pura	165	Dhuliya
166	Bedau	167	Jhakodia	168	Rohnia Laxman Singh
169	Rohnia Ram Singh	170	Radh Dan Raj	171	Sajjan Garh
172	Bhatvarda	173	Tada Ratana	174	Tada Mungla
175	Bijal Pur	176	Todi Kalu	177	Adhoriya
178	Bhuri Ghati	179	Itala	180	Sagwa
181	Durjaniya	182	Sani Dugri	183	Jaspura
184	Chor Par Nala	185	Pattapur	186	Andeshawar
187	Molan	188	Choonakhan	189	Jhamari
190	Jogdimati	191	Padla Katara	192	Khari Deri
193	Padla Chokha	194	Dhhotiya	195	Molan
196	Sakar Wada	197	Vajava Aumba	198	Jhumki
199	Garadiya	200	Heja Bhavji	201	Heja Mogji
202	Mahudiya	203	Bhura Dhot	204	Jeera Kot
205	Amba	206	Mahudi	207	Motiya
208	Godha Vada	209	Bhilku	210	Bhadwel
211	Mandhi Nani	212	Mandli Badi	213	Khutajiva
214	Semal Kheda	215	Lakheriya	216	Majrana
217	Maya Vat	218	Khundni rupa	219	Goda
220	Mahudi Natha	221	Khundni Hala	222	Mangla Khuta
223	Kumbhpura	224	Mall	225	Jhamliya
226	Rohniya Mana	227	Rohniya	228	Padwal ooker
229	Padwalluja	230	Khuta Chattra	231	Ganeshpura
232	Jalpura	233	Goya-Ka-Bariya	234	Golamer
235	Goya Ka Pargi	236	Machhar Pada	237	Kushali Pada
238	Khutarupji	239	Biya Pada	240	Patliya
241	Koopgarh	242	Choakhala	243	Chiya Ka Khuta
244	Todi Kalu	245	Ghotiya	246	Mahudi
247	Nayada Pada	248	Bhimkhara	249	Toati
250	Luni	251	Kachala	252	Bhoraj
253	Chokhad	254	Salon	255	Muliya
256	Bageri				

**District Dungarpur****Tehsil Dungarpur**

1	Barothi	2	Amjhara	3	Shishod
4	Sanchia	5	Savali	6	Nalva
7	Madva	8	Gumanpura	9	Hathod
10	Sunderpur	11	Gujra	12	Panthal
13	Talaiya	14	Jamboodi	15	Navagaon
16	Moder	17	Chundawala	18	Jhujhva

19	Lava Bhatda	20	Palevokhala	21	Rataopur
22	Khajbori	23	Palisoda	24	Ged
25	Jaggabor	26	Malmaya	27	Achhiyawa
28	Dhamod	29	Bichniwada	30	Chhapi
31	Kanba	32	Auttersuba	33	Miyanawada
34	Gadmalā	35	Odawada	36	Balyada
37	Paloda	38	Karoli	39	Ved
40	Mewara	41	Jalukua	42	Rampur
43	Kadiyagun	44	Kapadwave	45	Kanpur
46	Retta	47	Juda	48	Daken Mariya
49	Geji	50	Dudeli	51	Ragela
52	Uria	53	Rattapani	54	Gāmī Auhada
55	Māda	56	Palgandva	57	Satrap
58	Utiya	59	Navogaon	60	Balvania
61	Anpura	62	Charwada	63	Rāta Pāl
64	Horsala	65	Viliyana	66	Jethova
67	Madvi	68	Sithal	69	Jhavap
70	Salampura	71	Vikasnagar	72	Ladsore
73	V ja	74	Mudela	75	Negala
76	Dūdra	77	Jhothiri	78	Lavakhuta
79	Gadagoda	80	Dudlikī Bhatda	81	Pohārikhaturan
82	Pohārithakuran	83	Bhinda	84	Dhodhra
85	Nolshyam	86	Mavakholda	87	Bhandara
88	Vasiya	89	Khal	90	Kodriya
91	Meropa	92	Vodmalli	93	Kūpa
94	Bhanaseeman	95	Kesharpura	96	Ghuvad
97	Gadavaleshwat	98	Gada	99	Pod ya
100	Ghambola	101	Kishānpura	102	Raiānpura
103	Doothawada	104	Medla	105	Rajpur
106	Chotra	107	Simalwada	108	Karawada
109	Pacheri	110	Ramsod	111	Borkhed
112	Jorawarpura	113	Jatap	114	Mesawa
115	Kankudi	116	Ratiyedi	117	Rājpur
118	Gallen	119	Jhojeri	120	Matrī
121	Sarthuna	122	Amerpura	123	Navagaon waloo
124	Lodwala	125	Wakda	126	Pith
127	Palpadar	128	Rajela	129	Amalia
130	Oda Chotta	131	Paidi	132	Lolekpur
133	Navā Tapra	134	Selaj	135	Pithapur
136	Madviya	137	Ghata	138	Khesada
139	Borkapani	140	Teggarwado	141	Nankānala
142	Siimliya	143	Bhetana	144	Dedvi
145	Jhalan	146	Pundrawada	147	Damonī
148	Manipur	149	Nala	150	Paderdi
151	Watda	152	Nareli	153	Jhapa
154	Veerpur	155	Sada	156	Himatpur

157	Gesuawaga	158	Saras	159	Bharatpur
160	Balgun	161	Vilpan	162	Gnwada
163	Chandravassa	164	Devpura	165	Pavda
166	Vedhwada	167	Walldiya	168	Kutlapada
169	Bhiyana Chhoia	170	Verka Talab	171	Karkradara
172	Sadvai	173	Dedkakaveja	174	Mahudi
175	Himmatpura	176	Bansva	177	Rangpur
178	Pakhrun	179	Madevaupli	180	Madeva Nichli
181	Ghata Dowara	182	Kherveda	183	Viri
184	Ayavifava	185	Thovak	186	Choki
187	Surata	188	Mal	189	Bageraka Bewa
190	Bhilwapacheva	191	B-hda	192	Sasarpur
193	Padvigujreshwar	194	Dugela Talab	195	Gadroda
196	Naratafa	197	Pathivoka Baga	198	Uper Gamiya
199	Kurmva	200	Bhayata	201	Surataka Talab
202	Vagvol	203	Ramsagda	204	Audiwar
205	Mahipalpura	206	Laxmanpura	207	Kundvi
208	Veelpa	209	Vijaipura	210	Veerpada
211	Pardamand Rat	212	Bhanasimal	213	Barchhwada
214	Sakursi	215	Timboliya	216	Chundawada
217	Bhandari	218	Techramwsra	219	Mavakasba
220	Deehra Bhagat	221	Kabradora	222	Dhuka
223	Jharni	224	Kharapani	225	Ambau
226	Jhawai	227	Ijhatpura	228	Sadariya
229	Bikhivadi	230	Alwar	231	Saroli
232	Dada Gokal	233	Goheriga	234	Gatumahudi
235	Jhakra	236	Dev Goan	237	Bharatpura
238	Diyapura	239	Bheswa	240	Punvada
241	Dudreeya	242	Bhatiya	243	Vadela
244	Takari	245	Gutimala	246	Nittava
247	Ramkherjuna	248	Kanba	249	Sajjanpura
250	Navagaon	251	Fachadiya	252	Kirchayiya
253	Chadoli	254	Mevda	255	Thamkatala
256	Bathdi	257	Kundli	258	Rajla
259	Nageria Pachela	260	Adarshgaon	261	Garampuri
262	Vedsa	263	Dolkhujavat		

## Tehsil Sagwara

265	Salakhadi	266	Dad	267	Kochri
268	Shishod	269	Bavdi	270	Bagva
271	Rahdor	272	Saloda	273	Gaviakat
274	Udaia	275	Pardojoon	276	Ratanpura
277	Gadiya	278	Lambadiya	279	Gadamedtiya
280	Gariyta	281	Chhaporaka Vuna	282	Ubli
283	Vamnia Pada	284	Davriya	285	Bajopura
286	Modraupla	287	Madra Nichla	288	Mahuwada

289	Khedasa	290	Vijowa	291	Banliya
292	Ramsor	293	Kalikaparda	294	Jasaila
295	Kesarpura	296	Tamboliya	297	Nembava
298	Parda Vishnuji	299	Ratadiya	300	Babarivar
301	Mordi	302	Fofaliwar	303	Kasariya
304	Hindoliya	305	Puchhiyawara	306	Navadhara Mataji
307	Bakhejaniya	308	Jagpur	309	Khutwada
310	Khumnanpura	311	Semliya	312	Ghatekagaon
313	Chitri	314	Parda Mataji	315	Vadgi
316	Gadajasrajpur	317	Ambada	318	Ojriya
319	Piyola	320	Sakodra	321	Vormata
322	Saslai	323	Gumanpura	324	Kundela
325	Rathdi	326	Gadith	327	Bhandewa
328	Gulabpura	329	Bheegai	330	Haseva
331	Bhihera Chhotia	332	Bhihera Bada	333	Likhriya
334	Dadroda	335	Jhosava	336	Chikhli
337	Medireva	338	Pali	339	Beduwa
340	Moderi	341	Bheravpura	342	Navagaon
343	Gamela	344	Saleda	345	Oda
346	Man Parda	347	Bujwara	348	Ghanderi
349	Fatehpura	350	Rathdi	351	Pachkundi
352	Gherva	353	Parda Daripatti	354	Chandro Diya
355	Saranawas	356	Mora Saran	357	Piyova
358	Dhudi	359	Sohan Badli	360	Dariyani
361	Kuva	362	Barunada	363	Shindava
364	Igger	365	Ropda	366	Debera
367	Khumanpura	368	Chadiyala	369	Kaveri Chhoti
370	Kaveri Badi	371	Dhangaoon	372	Noniyawada
373	Katarapada	374	Bhaga Talav	375	Dhanora
376	Patiya	377	Gundlara	378	Palsau
379	Bhachdiyakhas	380	Bhachdiya Jagtan	381	Dharudhabda
382	Dharampuri	383	Gawalpura	384	Udhdia
385	Sivoi	386	Baniyaiy		

## District—Jalore

## Tehsil Bhinmal

1	Haraswara	2	Kuda	3	Sewada
4	Santru	5	Mokhatra	6	Kerwada
7	Dhantwada	8	Kakroli	9	Bhateep
10	Dheegaon	11	Karda	12	Lakhawas
13	Taneedar	14	Padavi	15	Goalwada
16	Jalera Khurd	17	Pal	18	Jalera Kala
19	Ganga	20	Mandardi	21	Meteriwada
22	Ratanpur	23	Jakhedi	24	Bhanwaria
25	Dhanol	26	Dhamseen	27	Jaitpura

28	Rupavati	29	Bamanwada	30	Bisgaon
31	Rampura	32	Roora	33	Bhatvas
34	Dungri	35	Medak Khurd	36	Medak Kalan
37	Jodvas	38	Anjodei	39	Audherwada
40	Seengawas	41	Maruwada	42	Dodwadiya
43	Dhaipur	44	Ranipadakala	45	Ranipada Khurd
46	Doodvat	47	Meda	48	Seelasan
49	Churpatiya	50	Dadaki	51	Akhrad
52	Katda	53	Dhanpura	54	Derdi
55	Puran	56	Vada	57	Ker
58	Dhuliyan	59	Surajwada	60	Tejawas
61	Dholpura	62	Sewadiya		

#### Tehsil Sanchor

1	Ramkhar	2	Akoriya	3	Mandali
4	Jodadar	5	Ridka	6	Khejeriyali
7	Rampur	8	Beriya	9	Arwa
10	Kaljikiberi	11	Bhimguda	12	Surachad
13	Sujanpura	14	Sunthdi	15	Varnaya
16	Baleria	17	Bhaiki	18	Dhingpura
19	Bhawatra	20	Sardarpura	21	Sakriya
22	Bhuwana	23	Naldara	24	Kesuri
25	Khasarvi	26	Paota	27	Nimbaj
28	Tanpi	29	Dungri	30	Duthawa
31	Hotigaon	32	Silasan	33	Galifa
34	Martava	35	Bhatwas	36	Meda
37	Bhandruna	38	Janvi	39	Bagsari
40	Bichhawari	41	Sarwana	42	Dantiya
43	Bank	44	Jesta	45	Suthana
46	Achalpur	47	Sajara	48	Biwarla
49	Kachhela	50	Isrol	51	Ratora
52	Ratanpura	53	Sangarwa	54	Hindwara
55	Gomi	56	Hanecha	57	Dadosan
58	Basan Chohan	59	Bhadwal	60	Lalpura
61	Kohad	62	Silu	63	Golasan
64	Dhurwa	65	Klipa	66	Dabal
67	Ambli	68	Uawal	69	Jhotra
70	Parwa	71	Malwara	72	Jakhal
73	Dedewa	74	Dhamana	75	Palari-Solakiyan
76	Sidhesar	77	Kamalpura	78	Sanchor
79	Agar	80	Paharpura	81	Gardali
82	Partappura	83	Paladar	84	Birol
85	Badsun	86	Jajasan	87	Lachhri
88	Karola	89	Dangra	90	Hariyali
91	Chosa	92	Liyadra	93	Arnay
94	Dharna	95	Hadeter	96	Mela

97 Pathmora	98 Nainol	99 Duniyasar
100 Kantol	101 Dhanta	102 Pur
103 Vodha	104 Jarol	105 Pamana
106 Khara	107 Mirpura	108 Gundau
109 Sarnau	110 Sanker	111 Palrideoran
112 Kuda	113 Basandeodan	114 Panchela
115 Dugawa	116 Surawa	117 Dadhuda
118 Titap	119 Lachhiwar	120 Nagoladi
121 Falna	122 Balana	123 Bhadkua
124 Karawari		

**District Sirohi  
Tehsil Pindwara**

1 Bhoola	2 Sadhafi	3 Semli
4 Navavas Khalsa	5 Navavas Jagir	6 Sinwada
7 Mandwara	8 Pitari Padar	9 Bor Umri
10 Volariva	11 Kedar Ka Paddar	12 Vassa
13 Rohida	14 Morass	15 Chiniyan Bind
16 Bharja	17 Vasantgarh	18 Dungeri
19 Rampura	20 Banas	21 Peshua
22 Kodharla	23 Dhanarl	24 Nittoda
25 Nanarwada	26 Khakherwada	27 Kachhola
28 Bhavari	29 Patumbari	30 Sampganj
31 Watera	32 Bhimana	33 Udvariya
34 Tarungi	35 Phula Bai Ka Khera	36 Sangwara
37 Panch Deval	38 Nagpura	39 Kotra
40 Achpura	41 Kasindra	

**Tehsil Revdar**

43 Sorda	44 Kotada	42 Mandar
45 Peethapura	46 Mokhada	44 Vasada
48 Jata Vada	49 Bantt	47 Sanani
51 Amrapur	52 Kolapur	50 Raipur
54 Barvaj	55 Matason	53 Hadmatiya
57 Nimbaj	58 Anapur	56 Jalampura
60 Bhatana	61 Goreli	59 Kesua
63 Badechi	64 Amaliya	62 Podar
66 Methipura	67 Rampura	65 Deebari
69 Rampura (Pilasi)	70 Bhilara Khera	68 Javadara
72 Gundhwara	73 Awara	71 Fatehpura
75 Didona' Khera	76 Butadi	74 Bherugarh
78 Jamtha	79 Kutana Khera	77 Jawal
81 Beejwara	82 Magriwada	80 Derli
84 Kusna		83 Suliva
85 Varman	86 Rohna	87 Vassan
88 Methan	89 Kaleri	90 Vanti
91 Revder	92 Khan	93 Jolpur

94 Dhiral	95 Wadka	96 Rampura
97 Bhikanwas	98 Jeerawal	99 Saranka Khera
100 Panch Deval	101 Harni Amrapur	102 Dani Rai
103 Dhan	104 Iderla	105 Bhamra
106 Dendarla	107 Nagani	108 Malava
109 Positara	110 Daugrali	111 Hathal
112 Mall Gaon	113 Gulabgani	114 Seengarli Kheeda
115 Anadara	116 Dabani	117 Chhapol
118 Dhanpur	119 Selwara	120 Dak
121 Thal	122 Dhanera	123 Dhavali
124 Dholpur	125 Lilora	126 Dattani
127 Mooliyan Khera	128 Paleri Khera	129 Bedniya
130 Salotra	131 BahadurPura	132 Karjiyau
133 Titmiyan	134 Marol	135 Makawal
136 Nimbora	137 Padru Kheda	138 Rampura Kheda
139 Linol	140 Peruva	141 Seruva
142 Asar	143 Rajgarh	144 Karanti
145 Pamera	146 Had Matiya	147 Wahan
148 Sirodi	149 Peetha Pura	150 Tokra
151 Burai Kheda	152 Urvariya	153 Asava
154 Titamiyam Kheda	155 Sunvada	

**Tehsil Sirohi**

156 Mandwara	157 Sirodki	158 Haliwada
159 Silder	160 Rampura	161 Rora Kheda
162 Punava	163 Amlari	164 Bug
165 Sunpur	166 Ranela	167 Karjal

**District Udaipur****Tehsil Jhadol**

1 Falasia	2 Khola	3 Bassi
4 Boria	5 Dhartadavo	6 Patoya
7 Sada	8 Uplosigro	9 Nanwara
10 Madra	11 Khato Kamto	12 Balvo Bagalia
13 Badanpura	14 Sarahot	15 Davan Wada
16 Ranjotpura	17 Nichlosigro	18 Bhamto
19 Dharanbas	20 Sam	21 Karel
22 Nalmala	23 Dhoran	24 Adkaloya
25 Khodoya	26 Nalachota	27 Nala bara
28 Bhaswa	29 Bobarwada	30 Bhagorabas
31 Ajrola	32 Tharawada	33 Baiwada
34 Ajrolokhas	35 Gurada	36 Parmare
37 Kate	38 Manpura	39 Panwara
40 Mandwa	41 Adahardu	42 Khjurana

43 Ajroli Dalji	44 Suramala	- 45 Kherad
46 Amada	47 Dharawan	48 Kochroya
49 Pipalwada	50 Kurbadhar	51 Daman
52 Bijlo	53 Phutagarh	54 Makdo
55 Umroya	56 Madla	57 Jamune
58 Lolaro	59 Bachawada	60 Amede
61 Tundar	62 Shyampura Kala	63 Shyampura
64 Odobearo	65 Samela	66 Kalyaro
67. Jakda	68 Khadwasa	69 Mahulo
70 Sisvo	71 Lukdo	72 Ubapar
73 Suthka	74 Jetawada	75 Lunoyara
76 Jalampura	77 Amowada	78 Adalakad
79 Amlata	80 Amloya	81 Kherad
82 Ghodomaro	83 Thurgarh	84 Tolroya
85 Tala	86 Bhundkosoya	87 Belmaya
88 Daya	89 Ambasa	90 Sarwan
91 Lathuno	92 Gathoyalaho	93 Bugha
94 Sadawada	95 Ammba	96 Tidaro
97 Ammbabo	98 Kavail	99 Chalobakda
100 Maal	101 Hurdala	102 Virotho
103 Tob	104 Naya Gaon	105 Atwal
106 Newaj	107 Mamdo	108 Bhukuva
109 Kunda	110 Bitra	111 Nalan Nama
112 Atkalaya	113 Antaloya	114 Kolar
115 Dewadawas	116 Nandoya	117 Bajawaton-ki-Khada
118 Dungrayawas	119 Chahanwas	120 Bhura
121 Choklabara	122 Sakhla	123 Baltoka Kheda
124 Uchaltobero	125 Basdoya	126 Sarkakheda
127 Salar	128 Ogana	129 Ketabtokakhada
130 Pem davoka Khad	131 Padoyerwas	132 Netajikawas
133 Naya Devo	134 Kapyawas	135 Dadmoya
136 Pilak	137 Kundal	138 Pipalwada
139 Kumarwas	140 Mavono	141 Andra
142 Gajvio	143 Bhavroya	143 Kada
145 Tanpur	146 Ajipur	147 Kayaroya
148 Hunda	149 Dhamdo	150 Jawaroya
151 Sadmaro	152 Daagio	153 Galdar
154 Dholomakdo	155 Thokmala	156 Jetoyada
157 Kotawatokawas	158 Kakar Mojra Pilak	
159 Oda	160 Kheda	161 Sarwalo
162 Meelaniya Khurd	163 Meelaniya Kalan	164 Kurawalo Khurd
165 Shahowada	166 Parda	167 Dholkhuna
168 Kanoyaghato	169 Venagiya	170 Dakala
171 Mundlo	172 Vasowada	173 Rohamala
174 Thobawada	175 Upreta	176 Kakarmala

(4) On the date notified for the election, a meeting of the trustees shall be called at the appointed time and place. The Registrar shall preside over this meeting. A list of the candidates validly nominated shall be announced by him. Any candidate may withdraw his candidature by a notice in writing delivered to the Registrar atleast one hour before the time fixed for the meeting. Immediately upon the announcement of the list of candidates validly nominated and who have not withdrawn their candidature the election shall take place by a simple majority voting. In case of equality of votes, result shall be declared by drawing of lots in such manner as the Registrar may think proper.

(5) Each Goshala shall have one vote which shall be exercised by its trustee. If there are more than one trustee in Goshala, the right of voting shall be exercised by the trustee nominated the Goshala in this behalf.

(6) Trustees of atleast one-fourth of the total number of Goshalas or twenty-five trustees each of which representing one Goshala, whichever is less; shall form the quorum for such meeting for the election:

Provided that if at any such meeting the quorum is not present, the Registrar shall adjourn the meeting to some other date and the notice of such meeting shall be issued in the same manner as is prescribed in sub-rule (1) and no quorum shall be required for any adjourned meeting.

(7) All votes shall be recorded by the trustees in person by Ballot system.

(8) After all the 11 members have been elected, they will elect from among themselves one member as the Chairman of the Federation.

**5. Application for registration of Goshala:**—(1) An application for registration of a Goshala shall be in Form I and shall be submitted by the trustee of such Goshala in person or sent by registered post (acknowledgment due) to the Registrar at his office. Every such application shall be accompanied by a statement in Form II and other particulars in Form III and IV.

(2) After the receipt of the application and the statement under sub-rule (1), the Registrar shall grant a receipt in Form No.V to the trustee or his agent.

**6. Maintenance of register and grant of certificate of registration—** The registrar shall maintain a register of Goshalas in Form VI and shall issue a certificate of registration of a Goshala in Form VII.

**7. Notice of enquiry:**—The notice of enquiry required to be served on the trustee of a Goshala under sub-section (2) of section 7 of the Act shall be in Form VIII.

8- Annual statement of changes in the particulars of Goshala:—An annual statement required to be furnished by the trustee of a Goshala under section 8 of the Act shall be in Form IX and shall be sent to the Registrar by registered post (acknowledgment due) or presented in person and a receipt obtained therefor.

9. Statement of accounts—A statement of the accounts of Goshala required to be furnished by the trustee to the Registrar under sub-section (3) of section 9 of the Act shall be in Form X.

10. Preparation of audit note:—The auditor appointed under section 9 of the act shall prepare an audit note on Form XI.

11. Service of notice:—Every notice required to be issued under this Act or these rules shall be served by registered post (acknowledgment due).

#### \*FORMS

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 25-2-65 Page 810]

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\* Text of Forms omitted.

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*Rules and Notifications under*

GOVERNMENT ELECTRICAL UNDERTAKING (DUES RECOVERY) ACT, 1960. THE RAJ. (ACT No. 34 OF 1960)

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# The Rajasthan Government Electrical Undertakings (Dues Recovery) Rules, 1962

Government of Rajasthan

Power department

NOTIFICATION

*Jaipur, May 25th, 1962.*

No. F.7 (9) Pow./62—In exercise of the powers conferred by sub section (1) and sub-section (2) of section 7 of the Rajasthan Government Electrical undertaking (Dues Recovery) Act, 1960 (Act No. 34 of 1960), the State Government hereby makes the following rules, namely.

1. *Short title:*—These rules, may be called the Rajasthan Government Electrical Undertakings (Dues Recovery) Rules, 1962

2 *Rendering of bills:*—The Board or its representative Officer authorised to issue bills will render bills to the debtors for the dues of the Board in Forms specified in the Schedule annexed hereto.

Every bill for dues payable by a debtor shall specify conspicuously the date by which such dues are to be paid.

3. *Non payment of bills:*—In case of default on the part of the debtor to pay the bills rendered under rule 2 above, the prescribed authority will serve a notice of demand on the debtor in the form specified in the Schedule annexed hereto stating the name of the debtor, the amount payable by him, penalty, cost of recovery and the Board's office at which it is payable.

The Notice of demand will be served by the prescribed authority by registered A. D. post at the address recorded in the issuing office or at the last known address as the case may be.

The dues of the Board shall be payable by the debtor within 30 days from the date of receipt of the said notice of demand or within such extended period as the prescribed authority may allow.

4. *Recovery of dues as land revenue:*—The prescribed authority shall on the failure of the debtor to pay the dues after re-

(h) reference to duty on import shall be deemed to include reference to countervailing duty.

*Notes.*

Section 4 of the Act authorises the State Government to declare any substance to be (liquor) for the purposes of the Act. Sub-section (2) of Section 4 requires the State Government as to what shall be "Country liquor" or "foreign liquor".

Clauses (a-1), (d-1), (e-1) and (e-2) in rule 2 have been newly added vide Excise and Taxation Department Notification No. F. I. (87) E & T./59 dated March 13, 1962, published in Rajasthan Raj-patra, part IV (c) dated May 17, 1962.

## CHAPTER II.

### IMPORT, EXPORT, TRANSPORT AND POSSESSION OF COUNTRY LIQUOR.

#### *IMPORT.*

3. *Import of country liquor.*—Country liquor may be imported into Rajasthan only.

(a) under the authority and in accordance with the terms of a permission granted by the Excise Commissioner, or

(b) under a bond for the payment of the prescribed import duty, executed by a person to whom the exclusive privilege for the supply of such liquor has been granted under section 24 or

(c) as permitted by any notification issued by the Government on the subject and for the time being in force.

4. *Import to be in accordance with the rules.*—All imports of country liquor shall be in accordance with these rules.

5. *Import to be subject to the rules of the exporting State.*—All imports of country liquor shall be subject to such rules as may be in forces in the State or district from which the liquor is to be obtained.

6. *Marking of casks.*—On each cask or other vessel containing country liquor imported into Rajasthan the importer shall cause to be painted legibly.

- (a) the name of exporting distillery or warehouse;
- (b) serial number of cask or other vessel;
- (c) the quantity and strength of the country liquor contained in the cask or other vessel and
- (d) the capacity of the cask or other vessel.

7. *Consignment to be accompanied by pass and Accounts.*—

Each consignment of imported country liquor shall be accompanied by a pass and dispatch account in such form as may be prescribed by the Excise Commissioner and the particulars noted on each cask or other vessel containing the liquor shall tally with the entries in the pass.

8. *Verification of consignment on arrival.*—On arrival of the consignment in the warehouse in Rajasthan the Inspector incharge shall prove the liquor and verify the details of the consignment.

### *EXPORT.*

9. *Export of country liquor.*—Country liquor may be exported from Rajasthan only—

- (a) under the authority and in accordance with the terms of permission granted by the Excise Commissioner concerned; and
- (b) by a person who has paid export duty on the country liquor to be exported or, at the discretion of the Excise Commissioner concerned, who has executed a bond for the payment of export duty to the satisfaction of the Excise Commissioner, or
- (c) as permitted by any notification issued by the Government on the subject and for the time being in force.

10. *Application for permission:*—(1) When any person desires to export country liquor in bond from Rajasthan, he shall present a written application to the Excise Commissioner containing the following particulars:—

- (a) the name of the consigner;
- (b) the name of the consignee; and
- (c) the description, quantity and strength of the country liquor to be exported;
- (2) Every such application shall also be accompanied by:—
  - (a) an authority of import, issued by the appropriate excise authority of the State to which the country liquor is to be exported.
  - (b) the receipt in proof of the payment of export duty, and
  - (c) a duly executed bond.

11. *Application how to be dealt with.*—(1) On receipt of an application for export of country liquor the Excise Commissioner shall satisfy himself that the duty has been paid, and shall unless there is reason to the contrary, issue a pass for export in quadruplicate.

(2) One part of such pass will be given to the applicant and the second part will be sent by post to the officer incharge of the bonded warehouse in the importing state, third to accompany the consignment and the fourth be retained for record.

(3) Within a reasonable time to be fixed by the Excise commissioner who granted the pass and to be specified in the bond or pass, the exporter shall produce before Excise Commissioner his copy of the pass endorsed with a certificate signed by the appropriate Excise authority of the importing State the due arrival or otherwise of the country liquor at its destination.

12. *Particulars to be marked on cask in which liquor is exported.*—On each cask or other vessel containing the country liquor for export, the exporter shall cause to be painted legibly—

- (a) the name and mark of the exporting distillery;
- (b) the serial number of the cask or other vessel and its capacity;
- (c) the nature, quantity and strength of the contents; and these particulars shall tally with the entries made in the pass,

13. *Extension of time.*—On a written application being made to the Excise Commissioner establishing sufficient cause for the grant of an extension of time, or on the production before him of the certificate from the appropriate Excise Officer of the importing State to the effect that there are good reasons for extending the time, it shall be within the competence of the Excise Commissioner to extend the time specified in the pass or bond for the due arrival of the country liquor at its destination; and such power may be exercised, for sufficient reason from time to time.

14. *Discharge or enforcement of bond.*—(1) In the case of country liquor exported under special bond the Excise Commissioner of the State of export shall discharge the bond on receipt of the pass and certificate provided that none of the condition of the bond has been infringed.

(2) The duty on consignment issued under a general bond shall be written off on receipt of pass and certificate; provided none of the conditions of the bond has been infringed.

(3) If the certificate is not received within the time mentioned in the bond or pass or if on receipt of the certificate it appears that any of the conditions of the bond has been infringed, the Excise Commissioner, of the exporting State shall take necessary step for the realisation of the penalty from the exporter or his surety under the bond.

#### *TRANSPORT*

15. *Transport of country liquor.*—(1) The transport of country liquor in bond from one Distillery to another or between distillery and bonded warehouse shall be governed by the rules relating to export of Country liquor with necessary modifications. .

(2) The transport of country liquor from Distilleries or warehouses to whole-sale depots or whole-sale and retail shops shall be regulated by rules governing the issue of country liquor from the Distillery or Warehouse.

(3) The transport of country liquor from whole-sale depot and whole-shops to retail shops shall be governed by rules relating to sales at such depots and whole-sale shops.

(4) The provision of this rule shall be subject to the provisions of the act.

16. *Restrictions on transport.*—(1) Subject to the provision of sub-rule (2) any person may transport country liquor within Rajasthan in any quantity not exceeding the limit for the time being in force for retail sale of such liquor.

(2) The transport of country spirit to any area in which a higher duty is levied or in respect of which a higher retail price has been fixed for the time being under any contract made by the distiller or manufacturer for that area with the Government, is prohibited except under the authority of and in accordance with the conditions of a special permission given by the Deputy Excise Commissioner, having jurisdiction over the area to which the liquor is to be transferred;

Provided that this prohibition shall not extend to country liquor passing through such area when duly protected by a pass.

#### *POSSESSION.*

17. *Possession of country liquor obtained or manufactured unlawfully.*—The possession without lawful authority of country liquor which has not been lawfully manufactured or obtained lawfully is prohibited.

18. *Permit for possession beyond limit of retail sale.*—(1) Any person desirous of obtaining a permit under sub-section (1) of section 19 for the possession of country liquor in excess of the limit for retail sale may make an application in writing stating:—

(a) The quantity required and the date on which it is to be purchased.

(b) The occasion which renders the purchase necessary.

(c) The vendor from whom the purchase is to be made.

(d) The place where the liquor is to be consumed.

(2) The application under sub-rule (1) shall be made to the Assistant Excise Commissioner concerned, who may, unless there are reasons to the contrary, grant the permit.

(3) Such permit, if granted, shall be prepared in triplicate, the original and the duplicate shall be given to the applicant, who shall present the original before the vendor from whom the liquor is to be purchased. The vendor shall, after compliance, return it to the officer who granted it. The duplicate shall remain with the consignment in its transit from the shop to the place of consumption.

**18A. Possession of liquor beyond certain strength.**—No person shall keep or have in his possession any country liquor of a strength and variety other than those specified for retail sale by rules made from time to time by the Excise Commissioner under sub-clause (iii) of clause (e) of section 42 of the Act.

*Notes*

Rule 18A has been added vide amending (Excise and Taxation Department) Notification No. F.I. (100)E&T/57 dated 27th June 1958 published in the Rajasthan Rajpatra, part IV (c) dated 17/7/58.

The rules 18 and 18A are meant to fulfil the requirements of section 19 of the Act which reads as under :—

(1) No person not being licensed to manufacture, cultivate, collect or sell any excisable article shall have in his possession any quantity of such article in excess of such quantity as the Government has, under section 5, declared to be the limit of sale by retail, except under a permit granted by the Excise Commissioner [or by an Excise Officer duly empowered] in that behalf.

(2) Sub-section (1) shall not extend to—

(a) any foreign liquor (other than denatured spirit) in the possession of any common carrier or warehouseman as such, or

(b) any foreign liquor which has been purchased by any person for his bonafide private consumption and not for sale.

(3) A licensed vendor shall not have in his possession at any place other than that authorised by his licence any quality of any excisable article in excess of such quantity as the Government has under section 5 declared to be the limit of sale by retail, except under permit granted by the Excise Commissioner [or by an Excise Officer duly empowered] in that behalf.

(4) Notwithstanding anything contained in the foregoing sub-sections, the Government may by notification in the Rajasthan Gazette prohibit or restrict the possession by any person or class of persons, or subject to such exceptions as may be specified in the notification, by all persons in Rajasthan or any specified area or areas thereof, of any excisable articles either absolutely or subject to such conditions as it may prescribe.

### CHAPTER III

#### IMPORT AND EXPORT OF INDIAN MADE FOREIGN LIQUOR, FOREIGN LIQUOR AND BEER.

**19. Methods of import.**—Subject to the provision of the act Indian Made Foreign Liquor, Foreign Liquor and Beer may be imported in accordance with this chapter either:—

(1) in bond for payment of duty in Rajasthan, or

(2) on payment of duty in Rajasthan, or

(3) on payment of duty in the state of export, at the rates leviable in Rajasthan, to be subsequently transferred to Rajasthan by book transfers.

#### *Import in Bond.*

**20. Import in bond conditions.**—Any person holding a licence for the sale of Indian Made Foreign Liquor and Foreign Liquor, or the Commanding officer of Regimental units of the Armed Forces of the Union of India stationed in Rajasthan may import India Made Foreign Liquor from a Distillery, Brewery, Warehouse or bonded Laboratory in another State under a bond for payment of the import duty for the time being levied on such liquor after he or his agent has:—

- (a) Obtained a permit for import from the Assistant Excise Commissioner of the District of import, and
- (b) Executed a general or a special bond in favour of the Assistant Excise Commissioner of the District of import for the payment of import duty.

*21. Application for permit.*—(1) A person desirous of importing Indian Made Foreign Liquor in bond shall present an application in writing to the Assistant Excise Commissioner of the district of import, specifying:—

- (a) The quantity and description of the Indian Made Foreign Liquor to be imported, including quantity in L. P. gallons.
- (b) The name of the distillery, brewery, warehouse or bonded laboratory from which the liquor is to be imported.
- (c) The amount of import duty leviable, and
- (d) The name of the bonded warehouse in Rajasthan to which the liquor is to be consigned. He shall also pay the fees prescribed for such permit in advance.

(2) The applicant shall also execute (unless a general bond previously executed by him is still in force) either a general or a special bond in favour of the Assistant Excise Commissioner, of the District of import or the payment of import duty on the quantity actually imported and on the excess loss in transit as determined by the law or rules inforce in the State of export.

(3) The Assistant Excise Commissioner shall unless there are reasons to the contrary, prepare a permit for import in quadruplicate, containing all the particulars specified in sub-rule (1) and clearly specifying that a bond for payment of duty has been executed. One copy of the permit shall be made over to the applicant, the second shall be forwarded to the appropriate Excise authority of the District of export, the third shall be forwarded to the Excise Inspector of the circle and the fourth will be retained by the Assistant Excise Commissioner for record and verification of the consignment on arrival. The permit shall remain in force only upto the date specified therein.

(4) The importer shall present his copy of permit before the appropriate Excise Officer of the State of export or the Officer-in-charge of the distillery, brewery warehouse or laboratory from which the liquor is to be obtained, who shall issue the necessary pass for export from that State. The pass shall specify the number and date of permit authorising import into Rajasthan and a copy of it shall be forwarded direct to the Assistant Excise Commissioner of the District of import.

*22. Procedure on arrival in Rajasthan.*—(1) On the arrival in Rajasthan, the consignment of Indian Made Foreign Liquor shall be taken direct to the warehouse or distillery, as the case may be, mentioned in the permit, where it shall be tested and measured by

the Officer-in-charge of warehouse and shall be taken into store and entered in the importer's accounts.

(2) As soon as may be after such arrival, the Officer-in-charge of the warehouse shall also certify on the importers copy of the pass issued in the exporting State full details regarding the liquor received in such form as may be prescribed by the pass or as may be required by the authority issuing the pass and shall return it to the office issuing it, after verification by the Assistant Excise Commissioner.

23. *Clearance of consignment.*—(1) Within 7 days of the arrival of the consignment at the warehouse, the importer will clear the whole consignment from the warehouse on payment of duty and if he fails to do so, the Assistant Excise Commissioner may charge storage fee at such rate as he thinks reasonable for the period it remains in the warehouse in excess of 7 days. If the consignment is not cleared within 3 months from the date of receipt at the warehouse, the Assistant Excise Commissioner may dispose of it in such manner as directed by the Deputy Commissioner at the risk of the importer and shall handover the proceed of the disposal to the importer on application.

(2) The importer shall be liable to pay duty on the excess transit loss as determined by the law or rules in the State of export.

(3) Sub-rule (1) shall not apply in cases of liquor imported by distilleries and stored in Distillery building.

#### *Import on prepayment of duty in Rajasthan.*

24. *Condition of import.*—(1) A person holding a licence for the sale of Indian Made Foreign Liquor and Foreign Liquor or the Commandant of Regimental units of the Armed Forces of the Union of India stationed in Rajasthan may import Indian Made Foreign Liquor on prepayment of import duty in Rajasthan, and under a permit issued under the next succeeding rule, from a distillery, brewery, or warehouse of the exporting State.

(2) Duty pre-paid under this rule shall not be refunded in any case.

25. *Procedure for permit.*—(1) For a permit under the preceding rule, an application shall be made in writing to the Assistant Excise Commissioner of the District in which the licensed vendor holds a license or the unit of the regiment is stationed (as the case may be) specifying;

(a) the name of the distillery, brewery, bonded warehouse or bonded laboratory from which the import is to be made,

(b) the name, complete description and quantity of each kind of liquor to be imported and whether the import is to be in bulk or in bottles,

(c) the route of import, and

(d) the amount of import duty to be paid.

(2) A separate application shall be made for each consignment. If the application is in order the Assistant Excise Commissioner shall, after checking and correcting the amount of duty entered therein endorse the application with an order directing the applicant to pay the amount unless there are reasons for rejecting the application.

(3) The application shall, after paying the amount of duty as ordered by the Assistant Excise Commissioner, and the prescribed permit fee, produce the receipt and the application before the Assistant Excise Commissioner, who shall issue the permit in quadruplicate, sanctioning the import by the applicant of Indian Made Foreign Liquor of the kind and quantity specified in the permit for the purpose mentioned in the permit. One copy of the permit shall be given to the applicant the second copy shall be sent to the appropriate Excise Officer of the State of export, the third shall be sent to the Excise Inspector of the circle and the fourth copy shall be retained by the Assistant Excise Commissioner, for record and for verification (if deemed necessary) of the consignment on arrival.

26. *Procedure on arrival.*—(1) On receipt of the consignment the importer shall at once notify its arrival to the Excise Inspector of the circle in which his licensed premises are situated, and shall allow him to check the consignment and to examine and, if necessary, to test the contents or to take a sample thereof for test.

(2) The Assistant Excise Commissioner may, if he thinks it necessary cause the contents of the consignment to be checked with the application and with the permit issued by him.

(3) The importer shall be liable to pay duty on excess transit wastage, if any claim is made by the State of export thereof. In that case, he shall be allowed to set off against that claim, the amount of import duty pre-paid by him, on the quantity representing the excess loss in transit.

27. *Import on pre-payment of duty in the state of export.*—  
(1) Indian Made Foreign Liquor may be imported by a person holding a licence for the sale of foreign liquor and also by the Commanding Officer of Regimental units in Rajasthan from any distillery, brewery, warehouse, or premises licensed for wholesale vend, in any State to which this provision may be applied by the Government by notification on pre-payment of duty in the State of export at the rates in force in the Rajasthan.

28. *How imported*—(1) The importer, unless generally or specially exempted by the Excise Commissioner, to this effect, shall first apply to the Assistant Excise Commissioner of the district of import, for the issue of a permit in accordance with rule 25 (1).

(2) The Assistant Excise Commissioner, if he sees no objection, shall issue a permit in quadruplicate containing the particulars given in the application. The permit shall be in force up to the date noted therein. One copy of the permit shall be made over to the

importer the second copy shall be forwarded to the appropriate Excise Officer of the district or place of export, the third copy shall be sent to the Excise Inspector of the Circle and the fourth shall be retained for record. The permit shall clearly specify that import is authorised on pre payment of duty in the State of Export at the rates prevailing in Rajasthan.

(3) The importer shall present his copy of the permit before the appropriate Excise Officer of the District place of export or the Officer-in-charge of the distillery, brewery, warehouse or premises from which export is to be made together with a receipt for the amount of duty paid by him. The said officer, after satisfying himself, that the import is duly authorised and that the amount of duty paid is correct, shall authorise export and issue a pass to cover the same. A copy of pass shall be sent direct to the Assistant Commissioner of the District of import.

(4) The Assistant Excise Commissioner, shall send the copy of the pass received by him to the Excise Inspector of the Circle who will check the consignment and endorse the result on the Pass and return it to the Assistant Excise Commissioner, who shall forward all export passes received from other states to the Excise Commissioner, at the end of each quarter.

29. *Import free of duty or at a reduced rate.*—(1) Indian Made rectified spirit may be imported free of duty or at the reduced rate of duty by chemists or druggists holding a licence and educational institutions, charitable hospitals, Government hospital and similar institutions, if so authorised by the notification under section 28.

(2) The provision of rules 25 and 26 shall also apply *mutatis mutandis* to all imports under this rule.

#### *Denatured spirit.*

30. *Denatured spirit*—The rules contained above in this chapter shall not apply to denatured spirit.

#### *Export General.*

31. *Duty how paid.*—(1) The export duty on Indian Made Foreign Liquor will be levied by pre-payment in the District of Export or by credit against a distiller's advance duty deposit, before the liquor is exported from the distillery, warehouse or licensed wholesale vendor's premises.

(2) No pass covering the export of any such consignment shall be issued by any Excise Officer of the District of export until the duty above referred to has been paid.

(3) Rectified spirit shall not be exported without the permission of the Excise Commissioner.

#### *Export from Distilleries in bond to other States in India.*

32. *Export in bond under pass.*—Any person may export in bond Indian Made Foreign Liquor manufactured at a distillery in

Rajasthan to any place in India under a Pass granted as provided in the following rules.

33. *Application to be made to the Assistant Excise Commissioner.*—(1) When any person desires to export in bond spirit manufactured in distillery in Rajasthan, he shall submit an application to the Assistant Excise Commissioner of the District in which the distillery of manufacture is situated.

(2) The application must specify (a) the name of the consigner, (b) the name of the consignee, (c) the description, quantity and strength of the liquor to be exported.

(3) Every such application must be accompanied by (a) a permit from the appropriate Excise Officer of the District to which the spirits are to be exported, authorising the import of the spirits, and (b) a duly executed special bond or a reference to the general bond in force.

*Note.*—The permit referred to in clause (a) may be a general permit covering all consignments for 1 year.

34. *Permit granted by Assistant Excise Commissioner, of exporting district.*—(1) The permit granted by the Assistant Excise Commissioner of the exporting district shall be in quadruplicate.

(2) One copy of the permit shall be delivered to the exporter, second copy will be forwarded to the appropriate Excise Officer of the District to which the liquor is to be taken, the third will be sent to the Excise Inspector of the circle and the fourth will be retained for record.

*Note.*—Usually, the Officer-in-charge of the warehouse to which the liquor is consigned will be the appropriate Excise Officer of the district of imports.

(3) Within a reasonable time to be fixed by the Assistant Excise Commissioner of the exporting District and specified in the bond or pass the importer shall produce before the Assistant Excise Commissioner of the exporting district his copy of the pass endorsed with a certificate signed by the appropriate Excise Officer of the importing district certifying the due arrival or otherwise of the liquor at its destination.

35. *Particulars to be painted on cask.*—On each cask or other vessel containing Indian Made Foreign Liquor for export there shall be legible cut or painted—

- (i) the name and mark of the exporting distillery;
- (ii) the No. of the cask or other vessel and its capacity;
- (iii) the nature, quantity and strength of its contents.

These particulars shall tally with those entered in the pass.

36. *Extension of time.*—On a written application being made to the Assistant Excise Commissioner of the Exporting district establishing sufficient cause for the grant of an extension of time or on the production before him of a certificate from the appropriate

Excise Officer of the district of destination to the effect that there are good and sufficient reasons for extending the currency of the pass or bond, it shall be competent for the Assistant Excise Commissioner of the exporting district if he thinks fit, to extend the time specified in the pass or bond for the due arrival of the liquor at its destination.

**37. Bond when to be discharged.**—(1) In the case of Indian Made foreign Liquor exported under special bonds the Assistant Excise Commissioner of the exporting district shall discharge the bond on receipt of the pass and certificate mentioned above, provided that none of the conditions of the bond have been infringed. The duty on consignments issued under a general bond shall be written off on receipt of the said pass and certificate, provided that none of the condition of the bond have been infringed.

(2) If the certificate be not received within the time mentioned in the bond or pass, or if on receipt of the certificate it appears that any of the conditions of the bond have been infringed, the Assistant Excise Commissioner of the exporting district shall forthwith take the necessary steps to recover from the executant or his surety the penalty due under the bond.

*Export from distilleries on payment of duty.*

**38. Export of duty paid Indian Made Foreign Liquor to any place in India.**—Any person may export duty paid Indian Made Foreign Liquor manufactured at a distillery in Rajasthan to any place in India under a permit granted as provided in the following rules.

**39. Application for pass.**—(1) The exporter shall present an application for a pass to the Assistant Excise Commissioner, together with a permit authorising the import signed by the appropriate Excise Officer of the State of import, specifying the rate of duty chargeable on the Foreign Liquor and a receipt for the amount of duty on the total quantity of I. M. F. Liquor to be exported. The Assistant Excise Commissioner if satisfied, will send the application to the Inspector in-charge Distillery for compliance.

(2) The Inspector may thereupon grant a pass authorising the export of the Indian Made Foreign Liquor and endorsing the rate of duty specified in the permit, and the total amount of duty recovered. One copy of the pass shall be sent to the authority granting the import permit.

**40. Export of Rum for Troops.**—Rum manufactured at a distillery in Rajasthan and intended for Indian troops may be exported to any part of India in accordance with rule 39:

Provided that it shall be the duty of the exporter to obtain on the back of the pass a certificate signed by the Commanding Officer of the Unit to which the Rum is supplied or any Commissioned Officer empowered by the Commanding Officer, in this behalf certifying the receipt of the consignment. The exporter shall produce

the pass endorsed with this certificate before the Assistant Excise Commissioner who will forward it to the in-charge of the distillery within the period specified in the pass.

*Export from Wholesale shops.*

41. *Pass.*—(1) Whenever a wholesale vendor exports a consignment of duty paid I.M.F. Liquor manufactured in Rajasthan to any place in India, he shall, at the time of despatch, prepare a pass in quadruplicate. He shall send one copy of the pass to the Assistant Excise Commissioner, of the district of export, one copy to the appropriate Excise Officer of the place of import, one copy to the consignee and shall retain the fourth copy.

(2) The pass shall state clearly (a) the name and address of the consignor, (b) the name and address of the consignee, (c) the exact description and quantity of each kind of Foreign liquor despatched under the pass, (d) the route by which it is despatched and (e) the date of despatch.

(3) A separate pass shall be issued in respect of each consignment.

*Book transfer of duty.*

42. *Book Transfer of duty.*—The duty, other than export duty on Indian Made Foreign Liquor manufactured at any distillery in Rajasthan and exported therefrom on pre-payment of duty (i. e., import duty) of any state of India shall be credited by Book transfer to the Government of the importing state annnuly, after the close of the financial year.

## CHAPTER IV.

### *Transmission and Possession or Intoxicating Drugs.*

43. *Transmission by post.*—Subject to rule 44, transmission by post of Intoxicating drugs, within, into or out of Rajasthan is prohibited, except on behalf of the Government or by a Government servant acting bonafide in execution of his duty.

44. *Transport through Rajasthan.*—Transport of any intoxicating drugs from any State in India through Rajasthan to another State in India shall be unlawful unless authorised by the Chief Excise Authority of the State from which it is being exported by a pass which has been granted on the condition that the consignment is not broken in transit, is carried by specified route to a specified destination and subject to such examination as a Gazetted Excise Officer of Rajasthan may require.

45. *Possession of drugs unlawfully obtained.*—No person shall without lawful authorities, have in his possession any intoxicating drug in any quantity whatsoever which he knows or has reason to believe to have unlawfully obtained.

46. *Admixture of drugs.*—(1) In the case of an admixture of two or more intoxicating drugs, the lowest limit of possession applicable to any such of drugs (under section 19 read with the

notification for the time being in force under section 5) shall be deemed to apply to the admixture.

(2) In the case of an admixture of one or more intoxicating drugs with any other substance (the other substance not being an intoxicating drug) the lowest limit of possession applicable to any such drugs under section 19 read with the notification for the time being in force under section 5 shall be deemed to apply to such admixture:

Provided that where water is added, its weight shall not be taken into account in calculating the weight of the admixture for the purposes of this sub-rule.

## CHAPTER V.

### *Licences Foreign Liquor and Beer.*

#### *Licences for wholesale vend.*

47. *Wholesale vend licences.*—(1) Licences for the wholesale vend of foreign liquor and beer shall be of two classes—

(a) for wholesale vend by manufacturers to wholesale vendors, and

(b) for wholesale vend by wholesale vendors to other wholesale vendors or to retail vendors.

(2) Licences under clause (a) of sub-rule (1) shall be granted by the Excise Commissioner and licences under clause (b) of sub-rule (1) shall be granted by the Deputy Excise Commissioner concerned, with the previous sanction of the Excise Commissioner.

(3) A licensee holding a licence under clause (b) of sub-rule 1 covering any district or district shall not hold a licence for the retail sale of foreign liquor for such district or districts, unless the Excise Commissioner has given a special sanction for such retail licence.

#### *Licence for retail sale.*

48. *Who may grant.*—Subject to the provisions of rule 47 (3) and subject to the other provision of these rules the following kinds of licences for the retail sale of foreign liquor may be granted by the Deputy Excise Commissioner Concerner with the pervious sanc-tion of the Excise Commissioner:—

- (a) Shop licences,
- (b) Hotel or Dakbungalow licences,
- (c) Restaurant or Hotel Bar licences,
- (d) Railway Refreshment Room or Dining Car licences.
- (e) Canteen Tenant licences,
- (f) Occasional licences, and
- (g) Licences for the sale of tonic and medicated wine.

*Explanations.*—Subject to rule 47 (3), renewal of any of these licences does not require the previous sanction of the Excise Com-missioner.

49. *Shop licences.*—(1) Shop licences for the retail sale of for-eign liquor shall be of two classes as described below:—

(a) for retail sale, for consumption on the premises, and  
 (b) for retail sale for consumption "off" the premises only.

(2) A licensee holding a licence for retail sale for consumption "off" premises shall not allow the consumption of foreign liquor on his premises and shall sell only in original sealed bottles.

50. *Hotel or Dakbungalow licences.*—Hotel or staging bungalow or Dakbungalow licences for the retail sale of foreign liquor cover retail sale:—

(a) for consumption on the premises only, and  
 (b) only to persons actually residing in the hotel or bungalow for their own use, or for lodgers making a temporary halt and the licensee shall not sell foreign liquor for any other purpose or to any other person.

51. *Restaurant or Hotel Bar Licenses.*—Restaurant or Hotel Bar licenses shall cover only retail sale of foreign liquor to persons served with eatables at the restaurant or Hotel, for consumption on the premises, and the licensee shall not sell foreign liquor for any other purpose or to any other person.

52. *Railway Refreshment room or Dining Car licenses.*—Railway Refreshment room or Dining car Licenses for retail sale of foreign liquor shall cover retail sale for consumption on the premises to bonafide Railway passengers, either in course of transit by train or making a temporary halt at the Railway Station at the beginning or end of journey and the licensee shall not sell foreign liquor to any other person or for any other purpose.

53. *Canteen Tenant Licences*—Canteen tenant licenses shall be issued only to persons running a Military canteen established under the Canteen Tenants system and shall cover retail sale for consumption on premises or by bonafide members of the Armed forces of Union of India served by the Canteen and the licensee shall not sell foreign liquor to any other person or for any other purpose.

54. *Occasional licences.*—Occasional licences for the retail sale of foreign liquor shall be granted only in order to enable foreign liquor to be sold at entertainments of a temporary nature by or on behalf of the organiser of such entertainments and shall not be granted for more than 10 days and shall specify the hours during which sale is permitted.

55. *Licence for the retail sale of tonics and Medicated WINES.*—Licences for the retail sale of foreign liquor in the shape of tonics and medicated wines shall be granted only to bonafide chemists and druggists and shall cover the retail sale of tonics and medicated wines containing not less than 20% and not more than 42% of proof spirit.

#### *Rectified spirit.*

56. Licences for the sale of rectified spirit shall be granted only by the Excise Commissioner and shall be granted only to chemists, medical practitioners and persons in charge of Laboratories.

## CHAPTER VI.

### LICENCES—COUNTRY LIQUOR AND INTOXICATING DRUGS.

57. *Retail Licenses, general.*—Licences for the retail sale of excisable articles may be granted either (1) by auction in accordance with the procedure described in the rules in the chapter on auction, or (2) on commission basis.

or (3) any other system sanctioned by the Government from time to time.

58. *Licensing Authority.*—(1) Licences for the retail sale of Excisable articles shall be granted by the Assistant Excise Commissioner concerned in accordance with the procedure described in these rules or any other system as may be sanctioned by Government and shall authorise the licensee to purchase such articles from the warehouse to which the shop is attached or, with the permission of the Deputy Excise Commissioner, from any other warehouse in Rajasthan provided the transport of Excisable articles to his shop is covered by an entry in his pass book signed by the officer-in-charge of the Warehouse and is effected within the period mentioned in such entry.

59. *Prohibition against admixture.*—A licence for the retail sale of Bhang or Ganja shall not entitle the licensee to prepare preparations or admixtures thereof. A separate licence will be given for such preparations and admixtures.

## CHAPTER VII.

### *Licences—Procedure for Auction.*

60. *Licences by auction.*—Licences may be granted by auction in cases where any of these rules provide for the grant of the licences in such manner. In such cases the procedure prescribed by this chapter shall be followed:

61. *Rules for auction.*—(1) The Deputy Excise Commissioner or any other officer authorised by him shall be the presiding officer for auctions.

(2) The presiding officer shall call bids to be offered regarding the annual fee to be paid for the licence concerned.

(3) The presiding officer shall not be bound to accept the highest or any bid and no reasons will be given for not accepting higher bid or any bid.

(4) Every bidder will be liable to be held to his bid whether it be the highest or not.

(5) The presiding officer shall, in accepting or rejecting the bids, exercise his discretion in such manner as to exclude bids which are the result of speculation or unhealthy rivalry or disproportionate with reference to the market value of the licence or which are likely to lead to undesirable monopoly or to malpractices. He shall have also discretion to reject bid by persons of doubtful solvency or with doubtful moral antecedents.

(6) Where the highest bid is not accepted, the presiding officer shall record his reasons in writing.

(7) If the amount offered by the highest suitable bidder is not adequate, the grant of the licence may be withheld for re-auction at a subsequent date, or for grant on commission.

(8) After the bid has been accepted by the presiding officer no subsequent bid at that auction shall be considered.

(9) The acceptance of the bid or any other alternative system by the presiding officer shall be subject to confirmation by the Excise Commissioner.

62. *Presiding Officer to report the result of auction.*—(1) As soon as the auction has been held its result shall be reported by the presiding officer to the Excise Commissioner for sanction.

The Excise Commissioner may either sanction the auction or pass such other orders as he may thinks fit regarding the disposal of all or any of the licences offered for sale.

63. *Persons debarred from bidding.*—Without prejudice to the provisions of rule 61 the following restrictions shall apply regarding persons who can offer bid at auctions.

(1) Former licensees who are in arrears to the Government as regards payment of Excise Revenue or who have been guilty of serious breaches of the Rajasthan Excise Act, 1950, the opium Act, 1873, any law repealed by either of these two Acts, any rule made under either of these two acts or under such repealed laws, or any condition of any licence in respect of any excisable articles or opium, shall not be entitled to bid without the consent of the presiding officer.

(2) An agent shall not be allowed to bid unless he holds a due authority or unless the principal is present and authorises the agent to bid on his behalf.

(3) Without the express sanction of the Deputy Excise Commissioner, no person shall bid for a licence or exercise a privilege who holds and who is the agent or servant of any person holding a similar licence in an adjoining area, in any other state in India.

64. *Copies of Notices is to be made available.*—A copy of the notice issued for an auction shall be made available before the commencement of the auction for the inspection of the intending bidders.

65. *Register of shops to be kept.*—Every Deputy Excise Commissioner, shall keep a register of shops auctioned by him.

66. *The adoption of a method other than auction.*—(1) The Excise Commissioner may at his discretion, direct the adoption in a particular case of a method other than auction for the grant of a licence.

(2) In particular when a licence is cancelled under Section 34, of Rajasthan Excise Act (Act II of 1950) a fresh licence for the unexpired period or any part thereof may be granted at the discretion of the Assistant Excise Commissioner, by tender, re-auction or on commission basis.

*Notes*

Section 34 of the Act vests the Licensing Authority with power to cancel or suspend the licence.

67. *Delegation of powers.*--The Excise Commissioner may delegate all or any of his powers under this chapter to any subordinate officer.

## CHAPTER VIII.

*Licence Fees.*

68. *Fees for certain licences.*--The under mentioned fees are prescribed for the following kinds of licences:--

<i>Description of licences.</i>	<i>Fees per year or part thereof.</i>
---------------------------------	---------------------------------------

1

2

1. Licence for the manufacture of spirituous, medicinal and toilet preparations, perfumed spirit and culinary preparations, in bond.	Rs. 100/-
2. Licence for the manufacture of spirituous medicinal and toilet preparations, outside bond.	Rs. 100/-
3. Licence for the manufacture of medicated wines including Mritun Sanjivni Sura	Rs. 100/-
4. Licence for the manufacture, for purpose of trade of non-restricted Asavas and Arishtas out of bond.	Rs. 25/-
5. Licence for the manufacture of restricted Asavas and Arishtas in bond.	Rs. 25/-
6. Licence for the possession and use of rectified spirit and absolute alcohol for purposes of research in Laboratories.	Rs. 5/-
7. Licences for possession and use of rectified spirit and absolute Alcohol for Educational and Scientific purposes in Schools, Colleges Institutes and Hospitals.	Re. 1/-
8. Licence granted to medical practitioners including Vaidyas for the manufacture, possession and use for their own patients of Asavas and Arishtas.	Re. 1/-
9. Licence for the possession and use of Bhang required in the manufacture of Unani and Ayurvedic preparations.	Rs. 5/-
10. Licence for the possession of rectified spirit for preparing Homoeopathic dilutions.	Rs. 5/-
11. Licence for the wholesale vend of rectified spirit in bond by persons who are not manufacturers.	Rs. 25/-
12. Licence for the retail sale of rectified spirit by chemists and medical practitioners and persons running laboratory.	Rs. 10/-

13.	Licence for the retail sale of medicated wines Mrityu Sanjewani, Suras.	Rs. 25/-
14.	Bottles licence for foreign liquor.	Rs. 250/-
15.	Licence for the construction and working of a distillery.	Rs 100/-
16.	Licence for the manufacture and wholesale vend of rectified spirit and denatured spirit.	Rs. 100/-
17.	Licence for the sale by wholesale dealers of denatured spirit.	Rs. 100/-
18.	Licence for the retail sale of denatured spirit.	Rs. 250/-
19.	Licence for the possession and use of denatured spirit for Industrial purposes for manufacturing varnishes, dyes, colours and the like.	Rs. 10/-
20.	Licence for the possession and the use of specially denatured spirit for Industrial purposes for the manufacture of methylated preparations like Tincture Iodine, methyl, Benzooin, Co-Methyl and the like.	Rs. 5/-

*Notes*

The words "year or part thereof" appearing in the heading of the column two of the above table have been substituted for the word "annum" vide Excise and Taxation Department Notification No. F.4(1)SR/55 dated 12th June, 1957 published in the Rajasthan Rajpatra, part IV (c) dated 27/6/57.

69. The fees for a licence for the sale of foreign liquor shall be as follows—

Kind of Licence.	Foreign Liquor per Bulk gallon.			I.M.F. Liquor and Beer per Bulk gallon.	
	Sprit	Wine	Beer.	Liquor.	Beer.
Wholesale	3/-	1/8/-	-/6/-	/-12/-	-/3/-
Retail Off	18/-	3/-	-/12/-	1/8/-	-/6/-
Retail on	21/-	3/12/-	1/8/-	3/-	-/12/-

Subject to the following minimum licence fees:—

Whole Sale Trade licence	Rs. [1200/-] per year or part thereof.
Retail licence for consumption off the premises	Rs. [600/-] ..
Retail licence for consumption on the premises	Rs. [200/-] "

*Notes*

The figures Rs. 1200/- Rs. 600/- Rs. 200/- appearing within brackets in the above table have been substituted for the original figures Rs. 1000/-, Rs. 500/- and Rs. 100/- respectively vide Excise and Taxation Department amending Notification No. F.I.(22) E&T/III dated 1st April, 1958 published in the Rajasthan Rajpatra, part IV [c] dated 1/4/58.

The words "year or part thereof" now appearing against these figures have been substituted for the previous word "annum" vide Excise and Taxation Department amending Notification No. F. 4(1)SR/55 dated 12th June, 1957 published in the Rajasthan Rajpatra, part IV (c) dated 27/6/57.

70. The minimum fee shall be paid before grant of a licence and if, at any time the fees assessed per gallon as prescribed under the preceding rule, exceed the minimum fees paid, such excess shall be paid by the wholesaler before he imports the articles; and by the retailer before he obtains it from another dealer for sale.

71. *Maintenance of accounts.*—Every licensee for the sale of foreign liquor shall maintain a regular and an accurate account of sale and submit the same for each calendar month by the 10th day of the following month.

## CHAPTER IX.

### *Licences—General provisions.*

72. *Who may grant licences.*—Except as otherwise provided in these rules all licences under the Act shall be granted by the Excise Commissioner.

73. *Period of licence for retail sales.*—(1) Licences for the retail sale of excisable articles shall ordinarily be granted for one year corresponding to the financial year of the Government subject to the following exceptions:—

(a) A licence granted during the course of the financial year shall expire at the mid-night of the last day of the financial year.

(b) Licences granted for particular occasion shall be valid only for that occasion, and

(c) Licences for the retail sale of country liquor, foreign liquor and Hemp drugs may be granted for a period exceeding one year by or with special sanction of the Excise Commissioner.

(2) Licences for the wholesale manufacture or supply of liquor may be granted for a period not exceeding five years.

74. *Persons debarred from holding licences.*—Without the previous written sanction of the Excise Commissioner:—

(1) No person holding or having an interest in a licence for the manufacture, sale or supply of foreign liquor in a district may hold or possess any interest in a licence for the retail sale of country liquor in the same district;

(2) No person holding or having an interest in a licence for the retail sale of opium or intoxicating drugs in a district may hold or possess any interest in a licence for the wholesale or retail manufacture or sale of foreign or country liquor in the same district;

(3) No person shall hold or have an interest in two or more shops for the retail sale of the same excisable articles in the same village, or in the same city or town; and

(4) No person holding or having an interest in a licence for the manufacture of country liquor or supply thereof from a distillery to retail vendor shall hold or have an interest in a licence for the retail sale of country liquor in the area in which the distillery is established or in any area supplied from such distillery.

75. *Location of shops.*—(1) A licensee for the retail sale of country liquor or hemp drugs shall have his shop only at a place approved by the Assistant Excise Commissioner,

(2) A shop for the retail sale of country liquor shall not be located—

- (a) in close proximity to a school, hospital, dispensary or place of worship; or
- (b) in the neighbourhood of a textile mill.

76. *Cancellation, Modification and suspension of licences.*—The authority granting a licence under these rules may cancel, suspend or modify the licence:—

- (a) to rectify clerical mistakes;
- (b) if the licence has been obtained by fraud; or
- (c) if the licensee has been guilty of the violation of a condition of his licence or the contravention of any provision of the act or any notification, order or rule issued under the Act.

77. *Fees not to be refundable.*—Except as otherwise expressly provided in these rules, the fee paid for any licence under these rules shall not be refundable in any case.

## CHAPTER X.

### *Disposal of Confiscated Articles.*

78. *Magistrate to send the articles to Excise Officer.*—A Magistrate passing, under this Act an order of confiscation of any excisable articles or any receptacle, packet or cover or any animal, cart, vessel, raft or other conveyance shall make it over to the Assistant Excise Commissioner concerned.

79. *Disposal of animals and things other than excisable articles.*—All animals confiscated under the Act and all things other than excisable articles so confiscated shall be sold by public auction under the orders of the Deputy Excise Commissioner, within a reasonable time after they are received under rule 78 from the Magistrate and the proceeds thereof shall be credited to the Government under the head 8 State Excise Penalties.

80. *Disposal of Excisable articles.*—All Excisable articles confiscated under the Act shall be dealt with as follows within a reasonable time after they are received from the Magistrate under rule 78:—

(a) Excisable articles not exceeding Rs. 5/- in value may be destroyed by the Assistant Excise Commissioner.

(b) Lawfully manufactured liquor in sealed bottles not exceeding Rs. 50/- in value shall be disposed off in such

manner as the Assistant Excise Commissioner may direct and such liquor exceeding Rs. 50/- in value shall be disposed off in such manner as the Deputy Excise Commissioner may direct.

(c) Bhang and Ganja exceeding Rs. 5/- in value shall be deposited in the nearest bonded warehouse, if it is fit for issue, with the sanction of the Deputy Excise Commissioner, and if unfit, shall be disposed off in such manner as the Excise Commissioner may direct.

(d) Disposal of Excisable articles in cases not covered by the above sub-rule shall be in such manner as the Excise Commissioner may direct by general or by special order.

81. *Perishable articles.*—Notwithstanding anything in these rules contained above in this chapter, perishable articles or an animal in respect of which proper arrangements for custody can not be made may be disposed off immediately by public auction by the Magistrate himself or by the Assistant Excise Commissioner.

82. *Sale or disposal to be deferred pending an appeal.*—The sale or other disposal of an excisable article, animal or any other substance confiscated under the Act shall be deferred till the period of appeal against the order of confiscation has expired, or, if an appeal has been made to the knowledge of the officer concerned against such order, then until the appeal is disposed off:

Provided that a perishable article or an animal in respect of which no proper arrangement can be made for custody may be disposed off immediately and the sale proceed may be credited in the Government treasury as deposits till the period of appeal expires, or until the appeal is disposed off, as the case may be.

## CHAPTER XI.

### *Witnesses and their expenses.*

83. *Expenses of witness.*—(1) Witnesses summoned by a criminal court for Excise cases before it or produced by an Excise Officer shall be paid expenses by the court in accordance with the rules for the time being in force for the grant of expenses to witnesses in criminal cases.

(2) Witnesses summoned by an Excise Officer in any Excise case shall be granted expenses by that Excise Officer out of the budget provision under that head, in accordance with the same scales as are applicable to witnesses summoned by a criminal court.

84. *Witnesses from than 5 miles not to be summoned.*—An Excise Officer shall not summon witnesses residing at a place more than 5 miles from the border of the area for which he is appointed.

## CHAPTER XII.

### *Mode of payment of duty.*

85. *Duty on foreign liquor and country liquor payable before issue.*—(1) The duty on manufacture, imposed for the time being in

respect of foreign liquor or country liquor shall be payable before the issue of such liquor from the distillery, brewery, warehouse or godown (as the case may be) except where the issue is under a bond for the payment of duty.

(2) Export duty in all cases is payable before issue.

86. *Duty on Ganja and Bhang payable before issue.*—The duty imposed for the time being on transport or import on Ganja or Bhang shall be payable before issue from the warehouse or godown concerned, except where the issue is underbond.

87. *Bonds—their effect.*—Every person executing a bond for the payment of a duty levied under the Act shall be liable to pay the penalty of the bond according to its tenor.

### CHAPTER XIII.

#### *Powers of officers.*

##### *Notes*

The sections referred to in this chapter relate to the powers as under:—

- (i) Section 43—Power to enter and inspect place of manufacture and sale
- (ii) Section 44—Power to investigate into offences punishable under the Act.
- (iii) Section 45—Power of arrest, seizure and detention.
- (iv) Section 46—Power to issue warrant for search or arrest.
- (v) Section 47—Power to search without warrant.

88. *Powers under section 43, 44, 45 and 47.*—All Excise Officers of the Government of Rajasthan not below the rank of Excise Inspector may exercise the powers referred to in section 43, 44, 45 and 47.

89. *Powers under section 45.*—All Excise Officers of the Government of Rajasthan including Excise Guards may exercise the powers mentioned in section 45.

90. *Power conferred by Notification under section 10.*—All Excise Officers may exercise the powers conferred upon them by any notification under section 10 for the time being.

##### *Notes*

Section 10 of the Act provides that, “The State Government may—

- (a) empower any officer to perform the acts and duties mentioned in Chapter VIII, and
- (b) order that all or any of the powers and duties assigned to an officer of the Excise Department under this Act shall, subject to the provisions thereof, be exercised and performed by any officer other than an Officer of the Excise Department or by any other person.

Chapter VIII relates to powers under sections 43 to 47 of the Act.

91. *Powers by Notification under section 9.*—All Excise Officers may exercise the powers conferred upon them by any notification under section 9 or by any order issued under such notification, for the time being in force.

*Notes*

Section 9 of the Act authorizes the State Government to delegate its powers under the Act to the Excise Commissioner.

## CHAPTER XIV.

### *Miscellaneous.*

92. *Observance of laws of other States.*—All passes, permits and permissions issued under these rules shall be on the implied condition that the holder thereof has observed and will observe the excise laws and rules of other State or States in India (as applicable to the subject matter) for the time being in force.

93. *Forms.*—The Excise Commissioner may prescribe forms for any licence, permit, permission, or pass to be issued under these rules any application or statement to be submitted under these rules or any account to be maintained under these rules and may similarly prescribe forms for statements to be submitted, registers to be maintained and records to be kept by Excise Officer under the Act or these rules and others forms for the purpose of carrying out of the provisions of the Act and these rules.

*Notes*

The Commissioner for Excise and Taxation, Rajasthan has prescribed forms of licences for the sale of Country Liquor, Opium, Hamps Drugs, Admixtures of Bhang & Denatured Spirit vide Excise and Taxation Department Notification No.F. 251 (5) (6) Ex/57 dated 14th June, 1957 published in the Rajasthan Rajpatra part IV (c) dated 1/8/57.

*Note:*—This Notification prescribes forms of licences for Country Liquor, Opium, Bhang and Ganja and admixtures of Bhang. As the forms for these article are in Hindi, the same have not been published. The forms for retail and wholesale sale of Denstured Spirit being in English, are appended herewith.

94. *Repeal.*—All rules in force in Rajasthan or in any part thereof regarding any matter for which provision is made by these rules are hereby repealed, but not so as to effect their previous operations.

By order of the Governor,

G. S. PUROHIT,  
*Secretary to Government.*

# Rajasthan Excise Rules, 1956.

Published in Raj. Raj-patra part IV (c) dated April 1, 1959 at page 1-2

## Excise and Taxation Department

### NOTIFICATIONS

Jaipur, April 1, 1959.

No. F. I (20)/E. & T./59-I.—In exercise of the powers conferred by section 41 of the Rajasthan Excise Act, 1950 (Rajasthan Act II of 1950), the Government of Rajasthan does hereby make the following amendment with effect from the 1st April, 1959 in the Rajasthan Excise Rules, 1956 published in the Rajasthan Gazette dated the 31st January, 1957 and order with reference to the proviso to sub-section (3) of the said section that previous publication of the said amendment is dispensed with as the Government of Rajasthan considers that the said amendment should be brought into force at once, namely:—

#### Amendment.

In rule 69 of the said rules, for the existing fees for licenses for the sale of foreign liquor substitute the following:—

Kind of licence	F. L. per Bulk Gallon		Indian Made Foreign Liquor and Beer per Bulk Gallon		
	Spirit	Wine	Beer	Liquor	Beer
1. Whole sale	Rs. 4.00	Rs. 2.00	Re. 0.50	Re. 1.00	Re. 0.25
2. Retail off	Rs. 24.00	Rs. 4.00	Re. 1.00	Rs. 2.00	Re. 0.50
3. Retail on	Rs. 28.00	Rs. 5.00	Rs. 2.00	Rs. 4.00	Re. 1.00

Jaipur, April 1, 1959.

No. F. I (20)/E. & T./59-II.—In exercise of the powers conferred by section 41 of the Rajasthan Excise Act, 1950 (Rajasthan Act II of 1950), the Government of Rajasthan does hereby make the following amendments with effect from the 1st April, 1959, in the Rajasthan Excise Rules, 1956 published in the Rajasthan Gazette dated the 31st January, 1957 and order with reference to the proviso to sub-section (3) of the said section that previous publication of the said amendments is dispensed with as the Government of Rajasthan considers that the said amendment should be brought into force at once namely:—

#### Amendments.

In items 17, 18 and 19 of rule 68 of the said rules, for the figures 250, 10 and 10, substitute respectively the figures 350, 30 and 150.

*Published in Raj Raj-patra part IV (c) dated November 5, 1959 at page 847*

Excise and Taxation Department  
NOTIFICATION

Jaipur, September, 22, 1959.

No. F. I (81) ET/59.—In exercise of the powers conferred by section 41 of the Rajasthan Excise Act, 1950 (Rajasthan Act II of 1950), the State Government hereby makes the following amendments with immediate effect in the Rajasthan Excise Rules, 1956 (published in the Rajasthan Gazette, Part 4 (C), dated the 31st January, 1957) and orders with reference to the proviso to sub-section (3) of the said section that previous publication of the said amendments is dispensed with as the State Government considers that the said amendments should be brought into force at once:—

AMENDMENT

In the said rules:—

1. Delete the present Rule 66 (2) and substitute the following its place:—

“In particular when a licence is cancelled under section 34 of the Rajasthan Excise Act, 1950 (Act II of 1950) a fresh licence for the unexpired period or any part thereof may with the previous approval of the Dy. Excise Commissioner, be granted by the Assistant Excise Commissioner, by tender, reauction or on commission basis subject to confirmation by the Excise Commissioner.”

In the said rules, add the following new rule:—

“66 (3) In case a licence is suspended under section 34 of the Rajasthan Excise Act, 1950 (Act II of 1950) the Assistant Excise Commissioner may with the previous approval of the Dy. Excise Commissioner the shop on commission basis during the period of suspension subject to confirmation by the Excise Commissioner.”

By Order of the Governor,  
G. S. PUROHIT,  
Secretary to the Government.

*Published in Raj. Rajpatra part IV (c) dated November 19, 1959 at page 873*

Excise and Taxation Department

NOTIFICATION

Jaipur, September 28, 1959.

No. D 5792/59/F. I (41) E.T /58.—In exercise of the powers conferred by section 41 of the Rajasthan Excise Act, 1950 (Rajasthan Act No. II of 1950), the Government of Rajasthan hereby makes the following amendments in the Rajasthan Excise Rules, 1956 and order with reference to the proviso to sub-section (3) of the said section that previous publication of the these amendments is dispensed with as the Government of Rajasthan considers that the amendments should be brought into force at once, namely:—

## AMENDMENTS

In the said rules—

1. Delete rule 30.

2. After Chapter IV add a new Chapter IV A as follows:—  
**"CHAPTER IV-A**

**Import, Export, Transport, Possession, Sale of  
 Denatured Spirit and Licences thereof.**

### IMPORT

**46A (i) By whom.**—Save up to a limit of six reputed quart bottles, no person other than a licensed wholesale vendor of denatured spirit shall import any denatured spirit in Rajasthan.

**(ii) Application for import.**—A wholesale vendor of denatured spirit desiring to import denatured spirit, shall apply to the Assistant Excise Commissioner of the District of Import in writing specifying—

- (a) the name of the distillery, bonded warehouse or bonded laboratory from which the import is to be made,
- (b) the name, complete description and quantity to be imported and whether the import is to be in bulk or in bottles,
- (c) the route of import and the amount of countervailing duty to be paid.

A separate application shall be made for each consignment and if the application is in order, the Assistant Excise Commissioner shall after checking and correcting the amount of duty entered therein, endorse the application with an order directing the applicant to pay the amount, unless there are reasons for rejecting the application.

**(iii) Issue of permit.**—The applicant shall after paying the amount of prescribed countervailing duty and permit fee (in case the spirit to be imported is manufactured outside India) produce the receipt thereof and the application before the Assistant Excise Commissioner who shall issue the permit in quadruplicate sanctioning the import by the applicant of denatured spirit of the kind and quantity to be specified by him in the permit. One copy of the permit shall be given to the applicant, the second copy shall be sent to the appropriate Excise Officer of the State of export and the third shall be sent to the Excise Inspector of the Circle and the fourth shall be retained by the Assistant Excise Commissioner for record and for verification, if necessary, of the consignment on arrival.

**(iv) Procedure on arrival.**—On receipt of the consignment the importer shall at once notify its arrival to the Excise Inspector of the Circle in which his licensed premises are situated and shall allow him to check the consignment and to examine and test the contents and to take sample thereof for test.

The importer shall be liable to pay duty on the excess transit wastage if any claim is made by the State of export thereof. In that case, he shall be allowed to set off against that claim the amount of countervailing duty prepaid by him on the quantity representing excess loss in transit.

(v) *Procedure at place of export.*—The importer shall present his copy of the permit to the Chief Excise Authority of the exporting District who may grant a pass covering the import of the spirit into Rajasthan which shall be returned after the receipt of the consignment is recorded on it by the Assistant Excise Commissioner of the District.

### EXPORT

46B. (i) *By Whom I.*—Save up to a limit of 6 reputed quart bottles, no person, other than a licensed wholesale vendor of denatured spirit shall export denatured spirit outside Rajasthan.

(ii) *Permit of import.*—The exporter shall obtain a permit from the appropriate Excise Officer of the State of import authorising import of denatured spirit and specifying the quantity to be imported.

(iii) *Application for pass.*—The exporter shall then present an application to the Assistant Excise Commissioner of the District specifying—

- (a) the name of the consignee,
- (b) the quantity of denatured spirit to be exported,
- (c) the description of the spirit stating the denaturants and their proportion used therein along with the certificate to this effect issued by the Excise Officer-in-charge. The application shall be accompanied by the permit of import and a treasury receipt of the excise duty prepaid on the quantity of denatured spirit to be exported at the rate of Rs. 0.12 n.P. per bulk gallon.

(iv) *Issue of pass.*—If the application is in order the Assistant Excise Commissioner may grant a pass authorising export. The pass shall be in quadruplicate, one copy deliverable to the exporter, second to be forwarded to the Excise Inspector concerned of the exporting State, the third to the officer who granted the permit and the fourth to be retained for record.

(v) *Verification of export.*—The consignment shall be sealed with the departmental seal. On reaching the consignment at the destination, the exporter shall get a certificate on his copy of the pass from the officer of the place of import in proof of the same having reached there and then present the said pass before the issuing authority.

### TRANSPORT

46C (i) *Transport from wholesale vendors premises.*—Denatured spirit may be transported from a distillery by licensed whole-

sale vendors of denatured spirit in any quantity provided that a pass has been obtained from the Assistant Commissioner of the District in whose area the wholesale shop is situated on payment of prescribed duty. The pass shall be issued in triplicate, one copy of which shall be given to the transporter, the second shall be forwarded for verification of the receipt of the consignment to the Excise Inspector in whose jurisdiction the licensed premises for wholesale vend, are situated and the third shall be retained for record.

(ii) *Excise duty.*—Duty paid denatured spirit may be transported from the premises of a licensed wholesale vendor to the premises of another wholesale or retail licensed vendor under cover of a pass issued by the wholesale licensee who sells the spirit. Such pass shall be in duplicate, one copy of which shall be given to the transporter and the other copy retained by him for record.

(iii) *Transport by individual.*—No pass for the transport of denatured spirit within the limit of private possession by any individual shall be required.

### POSSESSION

46D. (i) *Possession by any individual.*—No person not being a licensed wholesale or retail vendor of denatured spirit shall possess denatured spirit in excess of the limit of retail sale, unless, he holds a permit from the Assistant Excise Commissioner authorising him to possess the spirit in a larger quantity.

(ii) *Permit for possession.*—The Assistant Excise Commissioner may grant a permit for the purchase of denatured spirit from a wholesale vendor or a retail vendor, where there is no wholesale vendor, and possession thereof, to a person requiring denatured spirit for private purposes for a quantity in excess of private possession but not exceeding 4 gallons.

(iii) *Possession for specified purposes.*—Licences for the possession and use of denatured spirit for industrial purposes, for manufacturing varnishes, dyes, colours and the like may, if satisfied that there are sufficient grounds to do so, be granted by the Deputy Excise Commissioner concerned with the previous sanction of the Excise Commissioner.

### SALE

46E. (i) *Wholesale vend.*—Licences for the sale by wholesale of denatured spirit by distillers who denatures spirit to wholesale dealers and by wholesale dealers to other wholesale or retail dealers shall, if satisfied that there is reasonable ground to do so, be granted by the Deputy Excise Commissioner concerned with the previous sanction of the Excise Commissioner. The licence shall also cover the right to bottle denatured spirit.. All sales under this licence shall be covered by a pass.

An application for the grant of renewal of a licence under this sub-rule may be rejected on the ground that the applicant is not, in the opinion of the licensing authority, a fit person to hold a licence, or that he has no legitimate demand for such spirit, or that a sufficient number of licences have already been granted, or for any other sufficient reason. The applicant will have no claim to know the reasons of rejecting his application.

(ii) *Retail vend.*—If satisfied that there is a reasonable demand for denatured spirit in any locality, the Assistant Excise Commissioner may, with the previous sanction of the Excise Commissioner or by an officer duly authorised by him in this behalf, grant to a suitable applicant a licence which covers the right to bottle denatured spirit, for the retail vend of denatured spirit.

(iii) *Limit of retail vend.*—The quantity, within which sale to all purchasers of denatured spirit shall be deemed to be limit of sale by retail shall be 6 reputed quart bottles or one gallon.

3. Add rules 72A and 72B as follows:—

"72A. *Application for licences.*—Every application for a licence shall clearly describe the premises in which the applicant intends to conduct his business and shall be submitted in case of renewal at least one month before the commencement of the year for which it is required and shall be accompanied by a treasury receipt showing payment of licence fee, provided where an application for renewal of licence is not made within the prescribed period, it shall be accompanied by an additional fee, equivalent to 25% of such fee or five rupees whichever is higher.

72B. *Transfer of a licence.*—(a) Every licence shall be deemed to have been granted or renewed personally to the licensee and no licence shall be sold or transferred without obtaining previous permission in writing from the licensing authority.

(b) If during the currency of a licence, the licensee desired to transfer his business to a new premises, he shall intimate his intention to the licensing authority at least 15 days in advance, and get his licence suitably amended. The licence shall, thereupon hold good in respect of new premises."

4. Add a rule 77A as follows:—

'77A. *Samples.*—Samples required for analysis under these rules shall be supplied free of cost by the licensee and all expenses in connection with packing, despatch, chemical analysis etc., shall be borne by him.

The spirit which has not been sufficiently denatured, shall be denatured afresh under the orders of the Assistant Excise Commissioner. When insufficiently denatured spirit is denatured again, the expenses will either be borne by the supplier or by the licensee concerned."

By Order of the Governor,  
G. S. PUROHIT,  
Secretary to the Government.

Published in Raj. Raj-patra part IV (c) dated December 29, 1960 at page 553.  
Excise and Taxation Department

### NOTIFICATIONS

Jaipur, December 15, 1960.

No. F.1 (99)/E&T/60.—In exercise of the powers conferred by section 41 of the Rajasthan Excise Act, 1950 (Rajasthan Act, II of 1950), the State Government hereby makes the following amendment to the Rajasthan Excise Rules, 1956 and orders with reference to the proviso to sub-section (3) of the said section that the previous publication of the amendment is dispensed with as the Government of Rajasthan considers that the amendment should come into force at once, namely:—

### AMENDMENT

In Rule 18 of the said Rules after the words “possession of” the words “Indian Made Foreign Liquor or” shall be added.

# RAJASTHAN EXCISE RULES, 1956

Notification No. F.1(44) ET/63.—In exercise of the powers conferred by sub-section (1) of section 41 of the Rajasthan Excise Act, 1950 (Rajasthan II of 1950) the State Government hereby makes the following amendment, in the Rajasthan Excise Rules, 1956 and with reference to the proviso to sub-section (3) of the said section orders that previous publication of the said amendment is dispensed with as the State Government considers that the amendment should be brought into force at once.

## AMENDMENT

The following proviso shall be added to rule 72-A of the said rules, namely:—

“Provided that the additional fee referred to in the rule shall not be charged from the Commanding Officers of the Units of the Armed Forces of the Union of India stationed in Rajasthan and holding a “Retail off” license, if the delay in applying for renewal is due to the absence of the unit out side the State”.

(Published in Rajasthan Gazette Extraordinary (Finance Rev. section) dated 22-6-1963.)

Notification No. F. 1 (90) E&T/62.—In exercise of the powers conferred by sub-section (1) of section 41 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950), the State Government hereby makes the following amendments in the Rajasthan Excise Rules, 1956 and orders that with reference to the proviso to sub-section (3), of the said section the previous publication of the said Amendments is dispensed with as the State Government considers that the said amendments should be brought into force at once, namely:—

## AMENDMENTS

In the said rules—

In rule 24.—

(1) the following proviso shall be added to sub-rule (2) namely:—

“Provided that duty paid Rum possessed by any unit of the Indian Armed Forces may be imported into the State without payment of duty and such import shall not require any permit/pass from the State Authorities.”

In Rule 38—

2. The following proviso shall be added to namely:—

“Provided that duty paid Rum possessed by any unit of the Indian Armed Forces may be exported from the State without payment of duty and such export shall not require any permit/pass from the State Authorities”.

(Pub. Raj. Gaz Part IV (G a.) Finance (Rev. & ECS. Affairs) Deptt-dated 22-8-1963 Page 176.)

**Notification No. F. 1 (3) FD (RT)/64.**—In exercise of the powers conferred by section 41 of the Rajasthan Excise Act, 1950 (Rajasthan Act II of 1950), the State Government hereby makes the following amendment to the Rajasthan Excise Rules, 1956 and with reference to proviso to sub-section (3) of the said section, orders that previous publication of these amendments is dispensed with, as the State Government considers that the amendment should be brought into force at once:—

#### AMENDMENT

In rule 67 B of the said rules—

1. after sub-rule (b), the following sub-rule shall be inserted, namely—

“(bb) The Excise Commissioner shall specify the minimum amount of guarantee for each shop.”

2. In sub-rule (c) the words “in the tender form” shall be omitted.

(Finance (Revenue & Economic Affairs) Department (Revenue Section))  
Notification dated 12-2-64, Published in Rajasthan Gazette dated 12-2-64).

**Notification No. F.1(3) FD (RT)/64**—In exercise of the powers conferred by section 41 of the Rajasthan Excise Act, 1950 (Rajasthan Act II of 1950), the State Government hereby makes the following amendment to the Rajasthan Excise Rules, 1956 and with reference to proviso to sub-section (3) of the said section, orders that previous publication of these amendments is dispensed with, as the State Government considers that the amendments should be brought into force at once:—

#### AMENDMENT

For the existing chapter VII A and Rules therein the following chapter, and rules shall be substituted, namely:—

#### CHAPTER VII A

##### Licence under the Guarantee System

**67A. Licence under the guarantee system.**—(1) Licences for retail shops of country liquor under the guarantee system may be granted to persons guaranteeing to draw from a Government warehouse and sell, in a financial year or part thereof country liquor of a specified value, herein-after called the “amount of guarantee”.

**Explanation:**—‘Value’ for the purpose of the above rule shall be the total issue price at a Government warehouse calculated at the rate of such price current on the first day of January preceding the financial year to which the guarantee relates.

- (2) Licences under the guarantee system may be granted either=
- (a) by inviting tenders, or
- (b) by auction, or
- (c) by negotiation.

- (3) The amount of guarantee shall be—  
 (a) where a licence is granted by inviting tenders—the amount of the tender accepted for the grant of the licence;  
 (b) where a licence is granted by auction—the amount of the bid accepted for the grant of the licence; and  
 (c) where a licence is granted by negotiation—the amount determined by the Excise Commissioner and accepted by the licensee.

**67B. Procedure for tenders—**(a) In cases in which tenders are to be invited for the grant of licence for a shop, sealed tenders for the amount of guarantee for the period of the licence shall be invited by the Excise Commissioner.

(b) A tender notice shall be issued by the Excise Commissioner at least 15 days before the date fixed in the notice for the receipt of tenders. The time up to which the tenders shall be received on the fixed date shall be indicated in the notice. The tenders shall be submitted in the form to be obtained from the Assistant Excise Commissioner on payment of such fees as may be fixed by the Excise Commissioner. Tenders received after the prescribed time and date shall not be valid and shall not be taken into consideration.

(c) Every tender shall be accompanied by such earnest money as may be indicated in the tender form by the Excise Commissioner with the approval of the State Government.

(d) Tenders shall be received by the Assistant Excise Commissioner concerned who shall send them to the Deputy Excise Commissioner concerned. They shall be opened by the Deputy Excise Commissioner on the date and at the time to be fixed by him in the presence of such tenderers as may care to be present.

(e) Every tender shall be initialled by the Deputy Excise Commissioner, and the amount of tender shall also be written on the tender form by the Deputy Excise Commissioner in his own hand, as soon as the tender is opened.

(f) All tenders received shall be recorded in a register in the form laid down by the Excise Commissioner.

(g) The Deputy Excise Commissioner shall be the authority competent to accept or reject any tender. He may accept any tender other than the highest without assigning any reasons therefor. Where the guarantee amount offered by any tenderer is acceptable to the Deputy Commissioner, but such an amount has been offered by more than one tenderer and one of them is existing licensee for the shop under the guarantee system, licence for the shop shall be granted to such existing licensee. If none of the tenderers offering the same amount is such a licensee, a decision shall be taken by the Deputy Excise Commissioner by drawal of lots, in the presence of the tenderers concerned.

(h) Notwithstanding anything contained in rule 62, the decision of Deputy Excise Commissioner accepting any tender shall be final, provided that if the tender accepted by the Deputy Excise Commissioner is not the highest tender for a shop or a group of shops, as the case may be, the Deputy Excise Commissioner's decision shall be subject to confirmation by the Excise Commissioner. The Excise Commissioner may either confirm the decision of the Deputy Excise Commissioner or require that the highest tender shall be accepted or that the shop or the group of shops, as the case may be shall be put to open auction.

(i) Acceptance of a tender shall be communicated to the successful tenderer in the form laid down by the Excise Commissioner, and the tenderer shall be required to furnish due security in cash within the time indicated in this communication.

(j) If the required security is not furnished within the time indicated, the acceptance of the tender may be revoked by the Deputy Excise Commissioner and the earnest money deposited by the tenderer, with the tender shall in the event of such revocation be forfeited, to the State.

**67C. Procedure for auction.—**(1) Subject to such general or special directions as may be issued by the Excise Commissioner from time to time, the Assistant Excise Commissioner may put the licence for a shop, to auction under the guarantee system.

(2) In such an auction the Presiding Officer shall call bids for the amount of guarantee for the period of the licence.

**67D. Procedure for tenders or auction. —**Clauses [1] and [3] to [9] of rule 61 and rules 62 to 66 shall, so far as may be, be applicable *mutatis mutandis* in cases of grant of licence under the guarantee system by inviting tenders or by auction.

**67E. Grant of licence by negotiation.—**(1) Subject to such general or special directions as may be issued by the Excise Commissioner from time to time, the Assistant Excise Commissioner may, before the commencement of a financial year, make an offer to the licensee of a shop in the form laid down by the Excise Commissioner, for the grant of the licence for the ensuing financial year, indicating therein the amount of guarantee and the conditions of the licence. Such an offer shall give not less than 10 days time to the licensee, within which he may communicate to the Assistant Excise Commissioner his acceptance or otherwise of the offer, in the form laid down by the Excise Commissioner. The acceptance shall be accompanied, with proof of payment of such security and in such manner as may be indicated in the offer:

Provided that if the licensee fails to communicate his acceptance within the aforesaid period of 10 days, or if the acceptance is not accompanied by proof of payment of security as aforesaid, such offer shall be deemed to have been rejected by him.

(2) Notwithstanding anything contained in rule 67C, but subject to such general or special directions as may be issued by the Excise Commissioner from time to time, the Assistant Excise Commissioner may, on rejection of an offer under sub-rule [1], or where no offer is made under sub-rule [1] on account of any general or special direction of the Excise Commissioner, make an offer to any other person for the grant of a licence on the same terms and conditions as those, contained in the offer under sub-rule [1]:

Provided that—

- [i] the amount of guarantee in the offer made to such other person shall not be less than the amount determined by the Excise Commissioner ; and
- [ii] the minimum time limit of ten days referred to in sub-rule [1] shall not apply to an offer under this sub-rule.

(3) On receipt of the acceptance of the offer from the licensee or any other person referred to in sub-rule [2], as the case may be, the Assistant Excise Commissioner shall, subject to such general or special directions as may be issued by the Excise Commissioner, grant the licence.

**67F. Licence for part of financial year.**—Where a shop is running under a system other than the guarantee system, or where the licence for a shop has been cancelled or is otherwise terminated during the course of a financial year, the Excise Commissioner may direct that such a shop be put to auction under the guarantee system for the remaining part of the financial year.

**67G. Licence for group of shops.**—Nothing in these rules shall prevent a group of shops being put to auction under the guarantee system or tenders being invited, or to an offer under rule 67B being made, for a group of shops jointly.

**67H. Adoption of various methods for grant of licence.**—Nothing in these rules shall prevent any of the methods, namely, invitation of tenders under rule 67B or auction under rule 67C or negotiation under rule 67E, being adopted for grant of licence on guarantee system for various shops, or any of these methods being tried in any order for the grant of licence for a shop.

[Finance (Revenue and Economic Affairs) Department (Revenue Section) Notification dated 5-2-1964, Published in Rajasthan Extraordinary Gazette, dated 6-2-1964]

**Notification No. F. 1 (3) FD(RT)/64.**—In Exercise of the powers conferred by section 41 of the Rajasthan Excise Act, 1950 (Rajasthan Act II of 1950), the State Government hereby makes the following further amendments to the Rajasthan Excise Rules, 1956 and with reference to proviso to sub-section '3) of the said section, orders that previous publication of these amendments is dispensed with, as the State Government considers that the amendments should be brought into force at once ;—

## AMENDMENT

In sub-rule (1) of rule 67E of the said rules, after the existing proviso thereto, the following further proviso shall be added, namely :—

Provided further that where any of the other two methods namely, invitation of tenders under rule 67B or auction under rule 67C has already been adopted, before an offer is made under this rule to the licensee of a shop, the minimum time limit of ten days referred to above shall be reduced to five days.

[Rajasthan Gazette Extraordinary-dated 12-3-64-Part IV (Ga)].

Finance (Revenue and Economic Affairs) Department

Jaipur, March 6, 1965

**Notification No. F. 1 (27)FD/Ex/65.**—In exercise of the powers conferred by sub-section (1) of section 41 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950), the State Government hereby makes the following amendments in the Rajasthan Excise Rules, 1956 and orders with reference to the proviso to sub-section (3) of the said section that previous publication of the said amendments is dispensed with as the State Government considers that the said amendments should be brought into force at once:—

## AMENDMENTS

In the said Rules---

- (1) for rule 68, the following rule shall be substituted, namely:—  
 “68. Fees for certain licences.—The undermentioned fees are prescribed for the following kinds of licences:—

Description of Licence 1	Fee per year or Part thereof 2
1. Licence for the possession and use of rectified spirit and absolute alcohol for the purposes of research in laboratory.	Rs. 5.00
2. Licence for possession and use of rectified spirit and absolute alcohol for educational and scientific purposes in schools, colleges, institutions and hospitals.	Rs. 1.00
3. Licence for the wholesale vend of rectified spirit and absolute alcohol, in bond by persons who are not manufacturers.	Rs. 25.00
4. Licence for the retail sale of rectified spirit by chemists and medical practitioners and persons running Laboratory.	Rs. 10.00

5. Licence for construction and working of a distillery. Rs. 100.00
6. Licence for the manufacture and wholesale vend of rectified spirit, absolute alcohol and denatured spirit, Rs. 100.00
7. Licence for sale by wholesale dealers of denatured spirit and denatured spirituous preparations. Rs. 350.00
8. Licence for the retail sale of denatured spirit and denatured spirituous preparations. Rs. 30.00
9. Licence for the possession and use of denatured spirit for industrial purposes or manufacture of denatured spirituous preparations. Rs. 150.00
10. Licence for the possession & use of specially denatured spirit for industrial purposes for the manufacture of methylated preparations like Tincture Iodine, Methyl, Benjoin, Cu-Methyle, and the like. Rs. 5.00
11. Licence for bottling of country liquor under section 21 of the Act. Rs. 250.00

(2) for rule 69, the following rule shall be substituted, namely:—

“69 (1) The fee for a licence for the sale of foreign liquor shall be as follows:—

Kind of Licence per litre	Foreign Liquor			IMFL & Beer per litre		
	Spirit Rs. P.	Wine Rs. P.	Beer Rs. P.	Liquor.	Beer	
				Rs. P.	Rs. P.	3
1	2					
Wholesale	....	....	1.37	0.86	0.18	0.40
Retail Off	....	....	10.66	1.60	0.35	1.00
Retail on	....	....	11.69	2.19	0.75	1.50

Subject to the following minimum licence fees:—

Wholesale trade licence .... 1,800.00 for year or part thereof.

Retail licence for consumption off the premises .... .... .... Rs. 1,000.00 —do—

Retail licence for consumption on the premises .... .... .... Rs. 750.00 —do—

Provided that the licence fee for a licence under rule 47 (1) (a) shall be a fixed fee of Rs. 300.00

(2) The fee for a licence to bottle Indian Made Foreign Liquor shall be Rs. 0.03 per bottle whether quart pint or nip.”; and

(3) for rule 69A, the following rule shall be substituted, namely:—  
 “69A. The fee for a licence for retail sale of country liquor shall be as under:—

When	Guarantee amount for the year	Licence fee per year or part thereof
(1) does not exceed Rs. 15,000/-	....	Rs. 10.00
(2) exceeds Rs. 15,000/- but does not exceed Rs. 50,000/-	....	Rs. 25.00
(3) exceeds Rs. 50,000/- but does not exceed Rs. 2,00,000/-	....	Rs. 100.00
(4) exceeds Rs. 200,000/-	.... .... ....	Rs. 250.00”

[Pub. in Rajasthan Gaz. Ex. 4 (Ga)—Dt. 6-3-65—Page 812]

Finance Department

Jaipur, September 13, 1965

**Notification No. F. 1(9) FD/EX/65.**—In exercise of the powers conferred by section 41 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950), the State Government hereby makes the following amendments to the Rajasthan Excise Rules, 1956, and with reference to the proviso to sub-section (3) of the said section, orders that the previous publication of these amendments is dispensed with, as the State Government considers that the amendments should be brought into force at once, namely:—

#### AMENDMENTS

In the said rules:—

(1) in rule 63, after clause (3), the following new clause shall be inserted namely:—

“(4) No person below the age of eighteen years shall be entitled to bid at auctions.” and

(2) in sub-rule (1) of rule 67C, after the words “under guarantee system”, the expression “on the basis of minimum guarantee as may be specified by the Excise Commissioner for that shop” shall be inserted.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 14-10-65—Page 320]

Finance (Excise) Department

Jaipur, February 8, 1966.

**Notification No. F 1 (124) FD/Ex/65.**—In exercise of the powers conferred by sub-section (1) of section 41 of the Rajasthan Excise Act, 1950, (Rajasthan Act 2 of 1950), read with clauses (n), (o) and (p) of sub-section (5) of the said section, the State Government hereby makes the following amendment to the Rajasthan Excise Rules, 1956, and orders, with reference to the proviso to sub-section (3) of the said section, that previous publication of this amendment is dispensed with as the State Government considers that the amendment should be brought into force at once, namely:—

### AMENDMENT

In the said Rules; after Chapter IX, the following new chapter shall be inserted, namely:—

#### “CHAPTER IX A.

##### Prohibition of Publication of Advertisements

**77B. Prohibition of printing and publication of advertisements relating to intoxicants, etc.—(1)** No person shall print or publish in any newspaper, news-sheet book, leaflet, booklet or any other single or periodical publication or otherwise display, or distribute any advertisement or other matter which commends or solicits the use of, or offers, any intoxicant or which is calculated to encourage or incite any individual or class of individuals or the public generally to commit an offence under the Act, or to commit a breach or evade the provisions of any rule or order made thereunder, or the conditions of any licence, permit or pass obtained thereunder.

(2) Save of otherwise provided in rule 77C, nothing in this rule shall apply to—

(a) catalogues or price-lists which may be generally or specially approved by the Excise Commissioner in this behalf;

(b) any advertisement or other matter contained in any newspaper, news-sheet, book, leaflet, booklet or other publication printed and published outside the State;

(c) advertisement or other matter contained in any newspaper printed and published in the State before the commencement of this rule; and

(d) any other advertisement or matter which the State Government may, by notification in the Official Gazette, generally or specially exempt from the operation of this rule.

**77C. Prohibition of circulation, etc. of newspapers, etc. containing advertisements regarding intoxicants.—**Notwithstanding anything contained in sub-rule (2) of rule 77B, the State Government may, by notification in the Official Gazette, prohibit within the State the circulation, distribution or sale of any newspaper, news-sheet, book, leaflet, booklet or other publication printed and published outside the State which contains any advertisement or matter of the nature described in sub-rule (1) of rule 77B.”

{Pub. in Raj. Gaz. Ex. 4 (Ga)-Dt. 8-2-66-Page 1131}

Finance (Rev. & Eco. Affairs) Department  
(Excise Section)

Jaipur, May 29, 1967.

Notification No. F.1 (20) FD/Ex /67.—In exercise of the powers conferred by sub-section (1) of section 41 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950 ) the State Government hereby makes the following amendments in the Rajasthan Excise Rules, 1956 and orders

with reference to the proviso to sub-section (3) of the said section that previous publication of the said amendments is dispensed with as the State Government considers that the said amendments should be brought into force at once:—

### AMENDMENT

In the Rajasthan Excise Rules, 1956.—

1. For the existing rule 68, the following rule shall be substituted, namely:—

**"68—Fees for certain licences.—The under mentioned fees are prescribed for the following kinds of licences:—**

Description of licence	Fee per year or part thereof.
1	2
1. Licence for the possession and use of rectified spirit and absolute alcohol for the purpose of research Laboratory .... :::::	Rs. 5.00
2. Licence for possession and use of rectified spirit and absolute alcohol for educational and scientific purposes in School, Colleges, Institutions and Hospitals .... :::::	Rs. .00
3. Licence for the wholesale vend of rectified spirit and absolute alcohol in bond, by persons who are not manufacturers ....	Rs. 100.00
4. Licence for the retail sale of rectified spirit by chemists and medical practitioners and persons running laboratory .... ....	Rs. 25.00
5. Licence for construction and working of a Distillery .... .... ....	Rs. 1000.00
6. Licence for the manufacture and wholesale vend of rectified spirit, absolute alcohol and denatured spirit .... ....	Rs. 1000.00
7. Licence for sale by wholesale dealers of denatured spirit and denatured spirituous preparations .... .. ... ..	Rs. 500.00
8. Licence for the retail sale of denatured spirit and denatured spirituous preparations	Rs. 50.00
9. Licence for the possession and use of denatured spirit for industrial purposes or manufacture of denatured spirituous preparations .... ....	Rs. 500.00
10. License for the possession and use of specially denatured spirit for industrial purposes for	Rs. 500.00

1

2

the manufacture of methylated preparations like Tincture Iodine, Methyl, Benzoin, Co-Methyl and the like .. ..	Rs. 25.00
11. Licence for bottling of country liquor under section 21 of the Act ... ..	Rs. 250.00

2. For the existing sub-rule (1) of rule 69, the following shall be substituted, namely:-

"69(1).—The fees for a licence for the sale of foreign liquor shall be as follows.—

Kinds of licence	per litre	Foreign liquor			IMFL & Bear (per litre)	
		Spirit Rs.P.	Wine Rs.P.	Beer Rs.P.	Liquor Rs.P.	Beer Rs.P.
Wholesale	1.40	0.90	0.20	0.42	0.12	
Retail Off	10.70	1.64	0.38	1.05	0.20	
Retail On	11.75	2.24	0.78	1.55	0.38	

Subject to the following minimum licence fees:

Rs.

Whole-sale Trade licence	2,200.00	For year or part thereof.
Retail licence for consumption of the premises	1,500.00	-do-
Retail licence for consumption on the premises	1,000.00	-do-

Provided that the licence fee for a licence under rule 47 (i) (a) shall be a fixed fee of Rs. 300.00.

Provided further that a sum of Rs. 500.00 shall be charged from the Commanding Officers of the Armed Forces of the Union of India stationed in Rajasthan, for holding a "retail off" licence.

[Pub. in Raj. Gaz. Ex. 4 [Ga] Dt.—29-5-67-Page 181]

## *Notifications under*

### **RAJASTHAN EXCISE RULES, 1956.**

*Published in Raj. Raj-patra Dated August 1, 1957 part IV (c).at page 299:*

Excise and Taxation Department Rajasthan Udaipur

#### **NOTIFICATION**

Udaipur, June 14, 1957.

*No. F. 251 (5/6) Ex/57.—In exercise of the powers conferred under Rule 93 of Rajasthan Excise Rules, 1956, I hereby prescribe the following forms of licences for the sale of Country Liquor, Opium, Hemp Drugs, admixtures of Bhang and Denatured spirit for general information.*

**GULZARI LAL**

Commissioner,

Excise and Taxation Rajasthan, Udaipur

*Note:—This notification prescribes forms of licences for Country Liquor, Opium, Bhang and Canja and admixtures of Bhang. As the forms for these articles are in Hindi, the same have not been published. The forms for retail and wholesale sale of Denatured spirit, being in English, are appended herewith.*

#### **LICENSE FOR RETAIL SALE OF DENATURED SPIRIT**

Licence No.....  
Division.....  
District.....  
Locality of the shop.....

License for retail vend of denatured spirit is hereby granted to Shri..... S/o..... R/o..... to bottle and sell denatured spirit in the premises.....in the town .....during the year ending March 31st 195 ..on payment of a fee of Rs. 10/- subject to the following conditions and provisions of the Rajasthan Excise Act, 1950 and the rules made thereunder :—

1. The quantity of denatured spirit in the licensee's possession shall not at any one time exceed 100 gallons.
2. Sales shall not be made at any one time—
  - (i) to any person requiring the spirit for a private non-industrial purpose in excess of one gallon unless such person produces a permit granted by the Assistant Excise Commissioner;
  - (ii) to any person requiring the spirit for an industrial purpose in excess of 4 gallons under cover of a permit granted by the Assistant Excise Commissioner to such person, provided there is no wholesale vendor in the station.
3. Sales shall not be made between the hours of sun-set and sun-rise.

4. Spirit shall not be sold at a strength lower than 50° over London Proof.
5. All containers including bottles, jars, drums or casks etc. containing denatured spirit received into or kept for sale in the shop shall be conspicuously labelled or branded with the words "Made and denatured in India" or "Made in .....and denatured in ... . . . ." as the case may be. Every bottle kept for sale in the shop shall be sealed and shall bear a label with words Denatured Spirit. Made in..... . and denatured in... .....Name of licensed vendor .....Name of bottles ... .... Place of vend... ....
6. The licensee shall store all his stock of denatured spirit to his shop in the premises for which he holds this license.
7. The shop shall not be located in the same building as a shop licensed to sell foreign liquor or country spirit.
8. The licensee shall not allow any person to conduct sales in his licensed premises unless the name of such person shall have been previously submitted to Assistant Excise Commissioner for approval and endorsed by him of the licence.
9. The licensee shall maintain a correct daily account showing receipts, sales and balances for each day.
10. The licensee shall not wilfully refuse to sell denatured spirit on demand by a purchaser for bona fide purposes.
11. The licensee shall produce for inspection his license, accounts and total stock of spirit on demand by Excise Officers not below the rank of Inspectors.
12. The licensee shall not import spirit from outside Rajasthan but shall purchase from any of the wholesale licensees of Rajasthan.
13. The licensee shall hang a board at a conspicuous place of his shop showing "Denatured or Methylated Spirit Retail Sale licensee. License No.....
14. In case of default or infringement by the licensee or by his servant or agent or with his knowledge and consent by any person acting under his authority or on his behalf, of any condition of this license or of any provision of the Rajasthan Excise, Opium or Dangerous Drugs Acts or Rules made thereunder or of any written instructions of the licensing authority not inconsistent with the intention of the law, it shall be competent for the licensing authority (without prejudice to the liability to the punishment, under the law of the licensee or of any person by whom a offence punishable under the law may have been committed) to cancel this license and to confiscate the license fee or to impose on the licensee a fine which may extend to Rs. 100/-or with both and to recover from him the amount of fine by any process in force for the realisation of public dues.

Dated .....

Deputy Commissioner.

## License for the wholesale vend of Denatured Spirit.

License No....	...	...	...	...	...	...
Division....	...	...	...	...	...	...
District ...	...	...	...	...	...	...
Locality of the shop	...	...	...	...	...	...

License for wholesale vend of Denatured Spirit is hereby granted to Shri ..... S/o ..... R/o ..... to bottle and sell denatured spirit in the premises..... in the town ..... during the year ending March 31, 1958 on payment of a fee of Rs. 250/- ..... subject to the following conditions and the provisions of the Rajasthan Excise Act, 1950 and the rules made thereunder

1. Sale shall only be made in quantities exceeding one gallon, and

(a) to persons possessing a permit from the assistant Excise Commissioner within whose jurisdiction the spirit is to be used, and

(b) to licensed vendors in quantities not exceeding that specified in the vendor's license.

2. Sale shall not be made between the hours of sun-set and sun-rise.

3. All sales under this license shall be covered by a pass.

4. Spirit shall not be sold at a strength lower than 50° over London Proof.

5. All containers including bottles, jars, drums or casks etc. containing denatured spirit received into or kept for sale in the shop shall be conspicuously labelled or branded with the words "Made and denatured in India" or "Made in ..... and denatured in ..... " as the case may be. Every bottle kept for sale in the shop shall be sealed and shall bear a label with words Denatured Spirit made in ..... and denatured in ..... Name of licensed vendor.....

Name of bottler ..... Place of vend .....

6. The licensee shall store all his stocks of denatured spirit pertaining to his shop in the premises for which he holds this license.

7. The shop shall not be located in the same building as a shop licensed to sell foreign liquor or country spirit.

8. The licensee shall not allow any person to conduct sales in his licensed premises unless the name of such person shall have been previously submitted to Assistant Excise Commissioner for approval and endorsed by him on the license

9. The licensee shall maintain a correct daily account showing receipts, sales and balances for each day.

10. The licensee shall produce for inspection his licensee, accounts and total stock of spirit on demand by Excise Officers not below the rank of Inspectors.

11. The licensee shall hang a board at a conspicuous place of his shop showing "Denatured or Methylated spirit wholesale License. License No.....".

12. In case of default or infringement by the licensee or by his servant or agent or with his knowledge and consent by any person acting under his authority or on his behalf, of any condition of this license or of any provision of the Rajasthan Excise, Opium, or Dangerous Drugs Acts or rules made thereunder or of any written instructions of the licensing authority not inconsistent with the intention of law, it shall be competent for the licensing authority (without prejudice to the liability to the punishment, under the law, of the licensee or of any person by whom of an offence punishable under the law may have been committed) to cancel this license and to confiscate the license fee or to impose on the licensee a fine which may extend to Rs. 200/- or with both and to recover from him the amount of fine by any process in force for the realisation of public dues.

Date..... . . . . .

*Deputy Commissioner.*

# The Foreign Liquor Licence Fee Rules, 1955

## Notes

Section 31 of the Rajasthan Excise Act, 1950 requires the State Government to prescribe fees for every Licence, Permit or Pass granted under the Act. The fees in these rules have been prescribed in pursuance of this power.

## ENGLISH TRANSLATION

(Authorised by His Highness the Rajpramukh)

## NOTIFICATIONS.

Jaipur, May 18, 1955.

No. F. 4 (1) S.R/55.—In exercise of the powers conferred by clause (b) of section 31 of the Rajasthan Excise Act, 1950 (Rajasthan Act II of 1950), the Government of Rajasthan is, hereby pleased to make the following rules to prescribe the fees for the licence for the sale of foreign liquor:—

1. These rules shall be called the Foreign Liquor Licence Fees Rules, 1955 and shall come into operation on 1st June, 1955.

2. The fees for a licensee for the sale of foreign liquor shall be as follows.—

Kind of Foreign Liquor per Bulk Gallon		I. M. F. Liquor & Beer per Bulk Gallon.			
Licence.	Spirit.	Wine.	Beer.	Liquor.	Beer.
Wholesale	3/-	1/8/-	-/6/-	-/12/-	-/3/-
Retail off	18/-	3/-	-/12/-	1/8/-	-/6/-
Retail on	21/-	3/12/-	1/8/-	3/-	-/12/-

Subject to the following minimum licence fees:—

Whole Sale Trade licence	Rs. 1000/ [for a year or a part thereof].
Retail licence for consumption off the premises	Rs. 500/-
Retail licence for consumption on the premises	Rs. 100/-
Notes	

The words "for a year or part thereof" appearing within brackets in the above table have been substituted for the original words "per annum" vide Excise and Taxation Department amending Notification No. F. 4 (1) S.R./55 dated 7th January 1957 published in Rajasthan Raj-patra, part IV (c) dated 31-1-57

3. The minimum fee shall be paid before grant of a licence and if, at any time the fees assessed per gallon as prescribed under the preceding rule, exceed the minimum fees paid, such excess shall be paid by the wholesaler before he imports the article; and by the retailer before he obtains it from another dealer for sale.

By Order of  
His Highness the Rajpramukh  
G. S. PUROHIT,  
Secretary to the Government.

# RULES UNDER SECTION 42 of the Rajasthan Excise Act, 1950.

## Notes.

The Excise Commissioner is authorised under section 42 of the Act to frame rules for matters specified therein. The section reads as under:—

The Excise Commissioner may, subject to the previous sanction of the State Government, make rules—

- (a) regulating the manufacture, supply, storage or sale of any excisable article including—
  - (i) the erection, alteration, repair, inspection, supervision, management and control of any place for the manufacture, supply, storage, or sale of such article or drug, and the fittings, implements and apparatus to be maintained therein;
  - (ii) the cultivation of the hemp plant (*cannabis sativa*);
  - (iii) the collection of portions of the hemp plant (*cannabis sativa*) from which many intoxicating drug can be manufactured and the manufacture of any intoxicating drug therefrom;
- (b) regulating the deposit of any excisable article in a ware-house and the removal thereof from any such warehouse or from any distillery, post-still or brewery;
- (c) prescribing the scale of fees or the manner of fixing the fees payable in respect of any licence, permit or pass or of the storing of any excisable article;

*Explanation.*—Fees may be prescribed under this sub-clause at different rates for different classes of licence permits, passes or storage, and for different areas.

- (d) regulating the time, place and manner of payment of any duty or fee;
- (e) prescribing the restrictions under and the conditions on which any licence, permit or pass may be granted including provisions for the following matters:—
  - (i) the prohibition of the admixture with any excisable article of any substance deemed to be noxious or objectionable;
  - (ii) the regulation or prohibition of the reduction of liquor by a licenced manufacturer or licenced vendor from a higher to a lower strength;
  - (iii) the fixing of the strength, price or quantity in excess of or below which any excisable article shall not be sold or supplied or possessed and of the quantity in excess of which denatured spirit shall not be possessed, and the prescription of a standard of quality for any excisable article;
  - (iv) the prohibition of sale except for cash;
  - (v) the fixing of the days and hours during which any licensed premises may or may not be kept open, and the closure of such premises on special occasions;
  - (vi) the specification of the nature of the premises in which any excisable article may be sold and the notices to be exposed at such premises;
  - (vii) the form of accounts to be maintained and the returns to be submitted by licence-holders; and
  - (viii) the regulation of the transfer of licences;
- (f) (i) declaring the process by which spirit manufactured in India shall be denatured;
  - (ii) for causing such spirit to be denatured through the agency or under the supervision of Excise Officers;
  - (iii) for ascertaining whether such spirit has been denatured;
- (g) providing for the destruction or other disposal of any excisable article deemed to be unfit for use;
- (h) regulating the disposal of confiscated articles.

The Excise Commissioner, Rajasthan has issued notifications, from time to time, for making rules in pursuance of the power conferred under section 42 of the Act. As there are no consolidated rules on the subject relevant notifications are reproduced under this heading.

NOTIFICATION

Udaipur, September 27, 1951.

No. C. 108.—In exercise of the powers conferred by sub clause (iii) of clause (e) of section 42 of the Rajasthan Excise Act, 1950, the Excise Commissioner, with the previous sanction of Government, is pleased to make the following rules, namely:—

No hemp drugs retail licensee shall sell Ganja in Rajasthan for a price in excess of Re. 1/4/- per tola.

This shall take effect from the 1st October, 1951.

JASWANT RAJ,

Commissioner of Customs & Excise

Published in Raj. Raj-patra Vol. 3 Dated 13-5-52 part II at page 1302 :

NOTIFICATION.

Udaipur, February 22, 1952.

No. 4163.—In exercise of the powers conferred by sub clauses (iii) of clause (e) of section 42 of the Rajasthan Excise Act, 1950 the Excise Commissioner, with the previous sanction of Government is pleased to make the following rule, namely:—

No country liquor retail licensee shall sell liquor of the varieties and strength specified below for a price in excess of that shown against each variety:—

Varieties of Liquor.	Strength.	Price per quart bottle.		
		Rs.	A.	P.
(i) Jagmohan	10 O. P.	10	0	0
(ii) Kesar Kasturi	5 U. P.	6	0	0
(iii) Rose	20 U. P.	4	8	0
(iv) Orange	25 U. P.	4	0	0
(v) Plain	35 U. P.	3	0	0
(iv) Plain (as supplied to hill tracts in the Udaipur Division)	60 U. P.	1	0	0

This shall take effect from the 1st April, 1952.

CHIRANJI LAL,

for Commissioner,

Customs and Excise, Rajasthan, Udaipur.

Published in Raj. Raj-patra Dated December 27, 1952 part II at page 1605 :

OFFICE OF THE COMMISSIONER,

CUSTOMS & EXCISE, RAJASTHAN, UDAIPUR.

NOTIFICATION.

Udaipur, December 18, 1952.

No. F. 52 Ex L/1605.—In exercise of the powers conferred by clause (e) of section 42 of the Rajasthan Excise Act, 1950, the Excise Commissioner, with the previous sanction of Government, is pleased to make the following rule, namely :—

Licenses for the sale of denatured spirit shall be granted at a fixed fee of Rs. 50/- per annum payable in advance.

G. S. METHA,

Commissioner of Customs & Excise.

# Rajasthan Neera (un-fermented Juice of Palms) Rules, 1960.

## NOTIFICATION

Udaipur, August 18, 1960.

No. 91 (3/1) Ex. Op/59-60/4839.—In exercise of the powers conferred by section 42 of the Rajasthan Excise Act, 1950 (Rajasthan Act II of 1950) the Excise Commissioner, with the previous sanction of the State Government, hereby makes the following rules to regulate the tapping of palmyra, date or any other palm trees and sale of neera, namely:—

1. *Short title.*—These rules may be called the Rajasthan Neera (Unfermented Juice of Palms) Rules, 1960 and shall come into force on their publication in the Rajasthan Gazette.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context.—

- (a) "the Act" means the Rajasthan Excise Act, 1950;
- (b) "form" means the form appended to these rules;
- (c) "neera" means unfermented juice drawn from any coconut, palmyra, date or any other palm tree;
- (d) "section" means a section of the Act; and
- (e) "tree" means a neera producing tree.

3. *Application for license.*—(1) Any person desiring:—

(a) to tap a tree and draw neera therefrom.—

- (i) for the manufacture of gur or any other product which is not an intoxicant; or
- (ii) for the supply of neera—
  - (A) to persons licensed to manufacture gur or any other article which is not an intoxicant from neera; or
  - (B) to persons licensed to sell neera by retail for consumption on premises; or
- (iii) for domestic consumption with the prior permission of the Excise Commissioner;

(b) to sell neera by retail for consumption on premises; may make an application in form A.N. 1 for a license to the Assistant Excise Commissioner at least one month before the date of tapping a tree or the sale of neera, as the case may be. An application for tapping trees situated on any Government land shall be accompanied by a no objection certificate from the Government Department concerned.

(2) On receipt of an application under sub-rule (1) the Assistant Excise Commissioner shall make such enquiries as he deems

necessary and if he is satisfied that there is no objection, to grant the license applied for, he may, subject to the orders of the Excise Commissioner, grant the applicant a license in Form L.N. I, II, III and IV as the case may be, ordinarily within one month from the date of receipt of the application; but he may, for any special reasons to be recorded in writing issue the same after the expiry of the said period.

*4. Period of license.*—A license granted under sub-rule (2) of rule 3 shall remain in force for a period of one year from 1st day of April to the 31st day of March following (both days inclusive):

Provided that license granted on a date subsequent to the 1st day of April shall be granted only for the period from that date to the 31 March following.

*5. Fees for license.*—No fee shall be charged for a license to tap trees for the manufacture of gur or any other product which is not an intoxicant or for domestic consumption of neera, but such fee as the Excise Commissioner may prescribe from time to time shall be charged for license for—

- (a) the sale of neera by retail, or
- (b) the supply of neera for sale.

*6. Place of manufacture or of sale.*—(1) The manufacture of gur or any other article which is not an intoxicant shall be carried on at the place specified in the licence (hereinafter called "the place of manufacture"). Neera shall be sold at the place mentioned in the license (hereinafter called "the place of sale").

(2) A license shall generally be issued for drawing neera from trees in selected tops within a radius of half a mile from the place of manufacture or the place of sale:

Provided that the Assistant Excise Commissioner, may, subject to the approval of the Excise Commissioner grant a license for the tapping of trees beyond such radius, if it is satisfied that for any special reasons such license is necessary.

*7. Ineligibility of license.*—No license to tap trees and draw, supply or sell neera shall be issued to any person who holds or has any direct or indirect interest in any country liquor shop.

*8. Condition of tapping.*—The licensee shall not tap any tree in excess of the number which he is licensed to tap. No tree which is less than five feet in height from the ground level shall be tapped nor shall neera be drawn therefrom. No pots shall be attached for such purpose to any neera producing trees more than five feet in height until the license therefor has been issued and until the trees have been marked and numbered in the manner so specified in rule 9. Neera shall be drawn and collected only in such receptacles as have been treated in the following manner:—

They shall be completely washed with water, and then be half boiled with water, heated to boiling point and kept on boiling for at least fifteen minutes. They shall be emptied and heated on bare flame to kill any residual yeast or cells and then be smoked over burning straw and leaves. 87.6 grains of lime per gallon or 1.3 grams of lime per litre of neera in finely powdered state shall be placed in the receptacles to keep the neera in unfermented state.

9. *Marking and numbering the trees.*—No trees shall be tapped and neera drawn therefrom unless it has been marked with a deep coloured two inches broad ring and the serial number of the trees above this ring in the same manner as in the case of other tari producing trees. The marking will be done by an Excise Officer.

10. *Nokarnama.*—Every agent or tapper employed by the licensee in connection with his license shall be provided with a Nokarnama signed and dated by the licensee. The name of such employee together with the date on which he is appointed shall be communicated forthwith in writing by the licensee to the Assistant Excise Commissioner in charge of the area in which the place of manufacture or the place of sale, as the case may be, is situated. The maximum number of employees which a licensee may employ at a time shall be fixed by the Assistant Excise Commissioner on consideration of the number of trees tapped and other relevant circumstances.

11. *Time.*—No neera shall be taken down from trees except between sunrise and sunset unless otherwise sanctioned by the Excise Commissioner.

12. *Use of neera.*—No neera drawn from trees tapped under a license and intended to be utilised in the manufacture of gur or any other article, which is not an intoxicant, shall be kept at the place of manufacture till sunrise of the next day unless it is boiled, and no such boiled neera shall be kept for more than 24 hours from the time it is boiled.

13. *Transport of neera.*—Neera drawn under a license shall not be mixed or adulterated with toddy or any substance or liquid or taken to any place other than the place of manufacture or the place of sale, as the case may be, unless a special permit for such removal has been obtained previously from the Assistant Excise Commissioner in charge of the area.

Provided that no such permit shall be granted to any person other than a person holding a license for the tapping trees and for drawing neera therefrom for the manufacture of gur or any other article which is not an intoxicant.

14. *Inspection of trees.*—Any person tapping trees or drawing neera therefrom under these rules shall bring down the receptacles attached to any of the trees so tapped for inspection on demand by

any Excise Officer responsible for checking the breach of the conditions, of the license.

15. *Accounts.*—The licensee shall maintain an account book showing the number of trees tapped under his license every day, the total quantity of neera drawn therefrom every day, the quantity of neera, if any, obtained by him every day from a person holding a license for the supply of neera and the quantity of neera, if any, sold by him every day. Such account book shall also show the quantity of gur or any products manufactured by him every day. The daily accounts shall be totalled every month to get the monthly figures.

16. *Inspection of the place of manufacture or sale.*—(1) The place of manufacture or the place of sale as well as the account book shall be open to inspection by an Excise Officer not below the rank of Inspector. The officer shall record his observations in the inspection book maintained by the licensee.

(2) A licensee shall always keep ready six test tubes, one test tube stand, a pair of tongs for holding test tubes, one spirit lamp, spirit, one cleaning brush and one funnel in a clean condition at his own expense and shall produce them on demand by the inspecting officers for testing whether neera kept at the place of manufacture or sale has fermented or not.

17. *Penalty.*—In the event of any breach of any of the provisions of these rules or any of the terms or conditions of a license granted under these rules, the licensee shall be liable to be cancelled or suspended under section 34 of the Act without prejudice to any other penalty to which the licensee may be liable under the said Act or under any other Law for the time being in force.

## FORMS

### FORM No. A.N. I.

Form of Application  
(See Rule 3)

To

The Assistant Commissioner,  
Excise and Taxation,

Sir,

I, the undersigned S/o..... residing at ..... desire—

\*(a) to tap the neera producing trees described in the Schedule hereto and draw neera therefrom:—

- (i) for the manufacture of gur or any other article which is not an intoxicant;
- (ii) for the supply of neera:—

- (A) to persons manufacturing gur or any other article which is not an intoxicant from neera; or  
 (B) to persons licensed to sell neera by retail for consumption on premises;  
 (iii) for domestic consumption;  
 (b) to sell neera for consumption on premises and accordingly apply for the necessary license.

2 Number of members in my household who drink neera are .....,

3. I hereby undertake to use the neera for the above mentioned purposes.

4. I hereby declare that:—

- (i) No licence was ever refused to me.  
 (ii) No similar license previously granted to me was ever revoked or suspended.  
 (iii) No renewal of a similar licence was ever refused to me owing to a breach of law relating to Excise Revenue, opium or intoxicating drugs.

5 I declare that to the best of my knowledge and belief the information furnished herein is true and no material fact has been suppressed by me.

place .....

Signature of the Applicant.

Date .....

### SCHEDULE

No. and kind of trees to be tapped.	Situation of trees to be tapped	Owner's, Proprietor's name and signature in token of his consent to the trees being tapped.	Remarks.
1	2	3	4
.....	.....	.....	.....
.....	.....	.....	.....

Date.....

Place.....

Signature of the Applicant.

\*Retain only that which is necessary and cancel the remaining items.

Not to be filled in the case of trees standing on Government land but a separate certificate from the Department concerned should be appended.

### FORM No. L. N. I.

(See Rule 3)

License for the tapping of neera producing trees and drawing neera therefrom for the manufacture of gur or any other article which is not an intoxicant.

License is hereby granted under and subject to the provisions of the Rajasthan Excise Act, 1950 and the rules made thereunder and the conditions of this license to Shri.....  
.....(hereinafter called "the licensee") residing at....  
.....authorising him during the period commencing from  
.....to .....(both days inclusive) to tap for and draw  
neera for the manufacture of gur or any other article which is not  
an intoxicant at.... (hereinafter called "the place of manu-  
facture") from the trees specified in the Schedule hereinafter appen-  
ded (hereinafter referred to as "the said trees") growing within the  
limits of the village of.....in the police station of.....  
in the district of .... .. .... ....and in the survey numbers specified  
in the said Schedule.

This license is granted subject to the following conditions,  
namely:—

### CONDITIONS

1. The licensee shall not tap any trees other than the said  
trees nor shall he allow any neera drawn under this license to  
ferment.

(2) Each of the said trees shall be marked and numbered  
by the Excise Authorities in the manner specified in rule 9 of the  
Rajasthan Neera Rules, 1960. The licensee shall not tap or cause  
to be tapped any of the said trees or draw or cause to be drawn  
neera therefrom until the said trees are marked and numbered in  
the said manner. Neera shall be drawn and collected only in  
receptacles after treating the same in the following manner:—

They should be completely washed with water. They  
should then be half boiled with water, heated to boiling point  
and kept on boiling for at least fifteen minutes. They should  
be emptied and heated on bare flame to kill any residual yeast  
or cells. They should then be smoked over burning straw  
and leaves. 87.6 grains of lime per gallon or 1.3 grams of  
lime per litre of neera in finely powdered state should be placed  
in the receptacles to keep the neera in unfermented state.

3. The licensee shall convey the entire quantity of the neera  
drawn by him from the said trees under this license to the place of  
manufacture by a direct route and to no other place.

4. No neera shall be kept till the sunrise of the next day  
unless it is boiled: provided that no such boiled neera shall be kept  
for more than 24 hours.

5. The licensee shall carry on the business either personally  
or by an agent duly authorised by him in this behalf by a written  
Nokarnama signed by himself. The name of each agent and the  
date of his appointment shall be communicated forthwith in writing  
by the licensee of the Assistant Excise Commissioner having charge

of the area in which the place of manufacture is situated. The licensee shall be responsible for the breach of any of the conditions of this license by any person so authorised. The total number of employees at a time shall not exceed the number fixed by the Assistant Excise Commissioner in this behalf.

6. The licensee shall abide by the conditions of the license and the provisions of the Rajasthan Excise Act, 1950 and the rules, regulations and orders made thereunder and shall give an undertaking to that effect.

7. The licensee, his heirs, legal representatives or assignees shall have no claim whatsoever to the continuance or renewal of this license after the expiry of the period for which it is granted. It shall be entirely within the discretion of the Assistant Excise Commissioner to permit or not the assignee of the licensee, in case of sale or transfer, or the heir or legal representative of the licensee in case of death, to have the benefit of the license for the unexpired portion of the term for which it is granted.

8. Infraction of any of the above conditions will render the license liable to forfeiture and to all or any of the penalties prescribed by law or rules.

Particulars of trees in respect of which the license is granted.

Village and Survey No.	Description of field or garden.	Number and kind of trees licensed to be tapped	Coconut, Palm- yra, Date, Sago Palm.	Remarks.
1	2	3	4	
Granted this the seal of the Licensing Authority.	.	Day of	196	Licensing Authority.

FORM No. L. N. II

(See Rule 3)

License to tap neera producing trees and draw neera for domestic consumption.

License is hereby granted under the subject to the provisions of the Rajasthan Excise Act, 1950 and the rules, made thereunder and the conditions of this license to Shri.....  
.....(hereinafter called "the licensee").....residing at.....authorising him during the period.....commencing

from.....to.....(both days inclusive) to tap and draw neera from the trees specified in the Schedule hereinafter appended.....(hereinafter referred to as "the said trees") growing within the limits ...of the village of.....in the Police Station of ....and in the survey number specified in the said Schedule for the purpose of using the neera for domestic consumption only by the licensee and the persons of his household.

### CONDITIONS

1. Each of the said trees hereby licensed to be tapped shall be marked and numbered by the Excise Authorities in the manner specified in the Rajasthan Neera (Unfermented Juice of Palm) Rules, 1960. The licensee shall not tap or cause to be tapped any of the said trees or draw or caused to be drawn neera therefrom, until the said trees shall have been marked and numbered as aforesaid.

The licensee shall not tap, or cause to be tapped or draw neera from any tree not licensed to be tapped by him. Neera shall be drawn and collected only in receptacles after treating the same in the following manner:—

They should be completely washed with water. They should then be half boiled with water, heated to boiling point and kept on boiling for at least fifteen minutes. They should be emptied and heated on bare flame to kill any residual yeast or cells. They should then be smoked over burning straw and leaves. 87.6 grains of lime per gallon or 1.2 grams of lime per litre of neera in finely powdered state should be placed in the receptacles to keep the neera in unfermented state.

2. The licensee shall convey the entire quantity of the neera drawn by him under this license to his place of residence by a direct route. The licensee shall not draw neera from the said trees before sunrise or after sunset. The licensee shall not convey or allow to be conveyed any neera drawn under this license to any place other than his place of residence. He shall use such neera only for the purpose of domestic consumption and shall not sell or supply neera to others. The unconsumed balance of neera may be used for the manufacture of gur or any other article which is not an intoxicant before it is fermented. Neera which is fermented shall be destroyed forthwith. No neera shall be kept till sunrise of the next day unless it is boiled, provided that no such boiled neera shall be kept for more than 24 hours.

3. The licensee shall not sell neera to anybody, nor shall he give it to anybody except to a person belonging to his household for such persons, personal cosumption only.

4. The licensee may, by a written Nokarnama signed by him, authorise any other person to tap the trees hereby licensed and

to transport the neera drawn from them. The licensee shall communicate such persons' name and date of his appointment to the Assistant Excise Commissioner having charge of the area in which the said trees are situated.

5. The licensee shall abide by the condition of this license and the provisions of the Rajasthan Excise Act, 1950 and the rules, made thereunder and shall give an undertaking to that effect.

6. The licensee, his heirs, legal representatives or assignees shall have no claim whatsoever to the continuance or renewal of this license, after the expiry of the period for which it is granted. It shall be entirely within the discretion of the Assistant Excise Commissioner to permit or not the assignee of the licensee, in case of sale or transfer or the heir or legal representative of the licensee, in case of death, to have the benefit of the license for the unexpired portion of the term for which it is granted.

7. Infraction of any of the above conditions will render the licensee liable to forfeiture and to all or any of the penalties prescribed by law or rules.

*Explanation:*—For the purposes of this license, a household shall mean a group of persons residing and messing jointly as the members of one domestic unit.

### SCHEDULE

Number and kind of trees to be tapped.	Number and situation of field or garden and village.	Number of field or garden survey No.	Owner's name.
1	2	3	4
Granted this the Seal of the Licensing Authority	Day of .	196	Licensing Authority.

### FORM No. L. N. III

(See Rule 3)

**Licence for the retail sale of neera for consumption on premises.**

License hereby granted under and subject to the provision of the Rajasthan Excise Act, 1950 and the rules, made thereunder and the conditions of the license to shri.

(hereinafter called "The licensee") residing at.....  
on payment of a fee of Rs. .... authorising him during.....  
the period commencing from.....to.....(both days inclusive)  
to sell neera by retail for consumption on his premises situated at  
..... (hereinafter called "the said place of sale").

The license is granted subject to the following conditions,  
namely:—

## CONDITIONS

1. The licensee shall not sell or expose for sale neera unless—  
 (i) it is pure according to the standard of quality prescribed by the Excise Commissioner.

(ii) it has been obtained either from his own tree or from a supplier approved and licensed by the Assistant Excise Commissioner and at a rate not exceeding that fixed by the Commissioner of Excise from time to time.

2. The licensee shall not keep, sell or expose for sale neera which has begun to ferment or which was not drawn on the same day on which it is adulterated.

3. The licensee shall forthwith destroy all neera which is not in accordance with the standard prescribed and he shall not be entitled to any compensation therefor.

4. The licensee shall sell neera only at rates not exceeding those fixed by the Excise Commissioner from time to time.

The licensee shall not keep or store neera in any place other than the said place of sale nor shall he allow any one to remove any quantity of neera from the said place.

Provided that the unsold neera may be removed to the place of manufacture of gur or any other article which is not intoxicant if a separate place is approved for the purpose and stored there after it is boiled, in the manner prescribed.

5. The licensee shall not stock or sell neera in a fermented state.

6. No neera shall be sold or served outside the said place of sale which shall be kept clean and no one shall be allowed to remove the neera sold to him outside the said place of sale. No neera shall be sold before sunrise or after sunset. The unsold balance of neera may be used for manufacture of gur or any other article which is not an intoxicant before it is fermented. Neera which is fermented shall be destroyed forthwith. No neera shall be kept till sunrise of the next day unless it is boiled; provided that no such boiled neera shall be kept for more than 24 hours.

7. The licensee shall be bound to supply, at his cost sample of neera, received or sold by him whenever required for analysis. The result of the analysis shall be binding on him for the purposes of dealing with him, either under the conditions of this licensee or under the Rajasthan Excise Act, 1950 and the rules, regulations and orders made thereunder.

8. The licensee shall provide himself with all the requisite receptacles, vessels, containers and glasses and standard measure of such metal and capacity as may be prescribed by the Excise Commissioner. All the copper and brass pots used in the storage or selling shall be properly tinned from inside and kept clean.

9. This license shall be hung, up in a conspicuous position in the said place of sale and a sign board of the size and description specified by the Commissioner of Excise shall be affixed on the outside of the said place of sale. On such sign board, the following words in Hindi shall be painted:

### "LICENSE TO SELL NEERA BY RETAIL"

10. The licensee shall enter every day in the book of the supplier the quantity of neera received by him daily from such supplier and shall sign his name under such entry in token of his having received such quantity of neera. Similarly, the licensee shall enter such quantity in the book maintained by him and obtain below such entry the signature of the supplier or his authorised agent in token of his having supplied such quantity of neera.

11. The licensee shall not sell neera except at the premises, previously approved by the Assistant Excise Commissioner. Such premises, all stock of neera contained therein, and all accounts relating to the sale of neera, shall at all reasonable times, be opened to inspection by an officer of the Excise Department, not below the rank of an Inspector or any other officer or person duly authorised in this behalf.

12. The licensee shall maintain such accounts as may be prescribed. He shall also maintain a visit book serially paged for the remarks of the inspecting officers.

13. The licensee shall submit such returns as may be prescribed on the 17th of every month.

14. The licensee shall furnish two sureties for the sum of Rs. 100 each as guarantee of his good behaviour and adherence to the terms of this license.

15. The licensee shall carry on the business, either personally or by an agent, duly authorised by him in this behalf, by a written Nokarnama signed by himself. The name of each agent and the date of his appointment shall be communicated forthwith in writing by the licensee to the Assistant Excise Commissioner having charge of the area in which the said place of sale is situated. The licensee shall be responsible for the breach of any of the conditions of this license committed by any person so authorised.

16. No partnership entered into by the licensee after the granting of the licence shall be recognised for the purpose of this licence, unless the Assistant Excise Commissioner on receipt of an application from the licensee, agree in writing to enter the name of the partner in the licence.

17. The licensee shall abide by the conditions of this license and the provisions of the Rajasthan Excise Act, 1950, and the rules made thereunder, and shall give an undertaking to that effect.

18. The licensee, his heirs, legal representatives or assignee shall have no claim whatsoever to the continuance or renewal of this license after the expiry of the period of which it is granted. It shall be entirely within the discretion of the Assistant Excise Commissioner to permit or not the assignee of the licence, in case of sale or transfer or the heir or legal representative of the licensee, in case of death, to have the benefit of the licence for the unexpired portion of the term for which it is granted.

19. Infraction of any of the above conditions will render the licensee liable to forfeiture and to all or any of the penalties prescribed by law or rules. Granted this the day of 1960.

Seal of the  
Licensing Authority.

#### FORM No. L. N. IV

(See Rule 3)

License to tap and draw neera from neera producing trees for the supply of neera to persons manufacturing gur or any other article which is not an intoxicant from neera. or to persons licensed to sell neera by retail for consumption on premises.

Licence is hereby granted under the subject to the provisions of the Rajasthan Excise Act, 1950 and the rules, made thereunder and the conditions of this licence to Shri.... (hereinafter called "the licensee") residing at.... on payment in advance the sum of Rs..... authorising him during the period commencing from.... to... (both days inclusive) to tap for and draw neera for the.... trees specified in the Schedule hereinafter appended (hereinafter referred to as "the said trees") growing within the limits of the village of.... in the police station of.... in the district of.... and in the survey numbers specified in the said Schedule for the purpose of supply thereof to persons manufacturing gur or any other articles which is not an intoxicant from neera or to persons licensed to sell neera by retail for consumption on premises.

The licence is granted subject to the following conditions, namely:—

#### CONDITIONS

1. Each of the said trees shall be marked and numbered by the Excise Authorities in the manner specified in rule 9 of the Rajasthan Neera (unfermented juice of Palm) Rules, 1960. The Licensee shall not tap or cause to be tapped any of the said trees or draw or cause to be drawn neera therefrom until the said trees are marked and numbered as aforesaid.

2. The licensee shall convey neera drawn by him from the said trees to the place of manufacture or place of sale, as the case may be, of a licensee, holding of licence in Form No. L.N.I. or Form No. L.N. III by a direct route and to no other place:

Provided that he may, with the written permission of the Assistant Excise Commissioner or any other duly authorised Officer, collect neera drawn from trees in different carts or groves at a convenient central place before conveying it to such place. The licensee shall not draw neera from the said trees before sunrise or after sunset and shall not except with the written permission of the Assistant Excise Commissioner convey the neera from the said trees at any time after 5 P. m. (standard time).

3. Neera shall be drawn in receptacles into which a sufficient quantity of lime or any other preservative approved by the State Government is placed so as to keep the neera in an unfermented state.

4. The licensee shall carry on the business either personally or by an agent duly authorised by him in this behalf, by a written Nokarnama signed by himself. The name of each agent and the date of his appointment shall be communicated forthwith in writing to the Assistant Excise Commissioner, having charge of the area in which the said place is situated. The licensee shall be responsible for breach of any of the conditions of this licence committed by any person so authorised.

5. The licensee shall not adulterate or mix neera with any foreign substance or liquid whatsoever. He shall supply the neera to persons holding a licence in Form No. L. N. III at a rate not exceeding that fixed by the Commissioner of Excise from time to time under the Act.

6. No neera shall be kept till the day following that on which it is drawn. The unsold balance of neera may be used for manufacturing gur or any other article which is not an intoxicant before it is fermented. Neera which is fermented shall be destroyed forthwith.

7. Any Officer of the Palm Gur, Excise, Revenue or Police Department, shall have free access at any time by day or by night to the trees hereby licensed to be tapped.

8. No neera shall be kept till sunrise of the next day unless it is boiled provided that no such boiled neera shall be kept for more than 24 hours.

9. The licensee shall abide by the conditions of this licence and the provisions of Rajasthan Excise Act, 1950 and the rules, made thereunder and shall give an undertaking to that effect.

10. The licensee, his heirs, legal representatives or assignees shall have no claim whatsoever to the continuance or renewal of this license after the expiry of the period for which it is granted. It shall be entirely within the discretion of the Assistant Excise Commissioner to permit or not the assignee of the licensee, in case of sale or transfer, or the heir or legal representatives of the licensee,

in case of death, to have the benefit of the license for the unexpired portion of the term for which it is granted.

11. Infraction of any of the above conditions will render the license liable to forfeiture and to all or any of the penalties prescribed by law or rules.

### SCHEDULE

Number and kind of trees to be tapped.	Place and situation of field or garden and village	Number offield or garden Survey No.	Proprietor's name.
1	2	3	4
Granted this the Seal of the Licensing Authority.	Day of	195	Licensing Authority.

GULZARILAL,  
*Commissioner, Excise & Taxation,*  
*Rajasthan, Udaipur*

# Rules for regulating the wastage in transit, issue and storage of Hemp Drugs in a ware-house.

OFFICE OF THE COMMISSIONER, EXCISE AND TAXATION,  
RAJASTHAN, UDAIPUR  
NOTIFICATION

Udaipur, September 12, 1959.

No. F. 326 (5/6) Ex. 4404.—In exercise of the powers conferred by clause (b) of section 42 of the Rajasthan Excise Act, 1950 (Act No. II of 1950), the Excise Commissioner, with the previous sanction of the State Government does hereby make the following rules regulating the wastage in transit, issue and storage of Hemp Drugs in a warehouse:—

(1) *Verification of Stocks.*—On the last working day of every calendar month, after all transactions for the day are over, the warehouse incharge shall after verifying the stock of drugs in the warehouse proceed to close the accounts of the month. The actual stock should consist of the unopened bags and packages standing as unopened in the prescribed register and the quantity remaining in any bag or package from which issues are being made. The incharge shall verify the stock by comparison of entries opposite the unopened bags and packages in the said register with the entries on the card attached to the bags and packages.

(2) *Wastage defined.*—(a) *Transit wastage.*—Means the loss in gross weight during the period beginning from the despatch of the drugs till their weighments on arrival at the warehouse of destination.

(b) *Issue wastage.*—Means the loss in netweight during the period beginning with the opening of the package or bag for issue till the contents of that package or bag are exhausted.

(c) *Storage wastage.*—Means the loss in gross weight during the period beginning with the arrival of the drugs in the warehouse till the weighment of the drugs for issue.

(3) *Allowances for wastage.*—The allowances for wastage may be allowed as under:—

	Ganja	Bhang.
Storage wastage	1.0%	2.0%
Transit wastage	0.6%	1.5%
Issue wastage		
For 10 days	0.5%	0.5%
For 11 to 30 days	1.0%	1.0%
Exceeding 30 days	1.5%	1.5%

*Note.*—The wastage would be allowable only on *actual weighment* and will not be deducted on sales as a matter of course.

*(4) Procedure when wastage exceeds the Permissible limit.—*

(a) If there is any excess wastage than the one fixed in Rule 3 above, a report alongwith the reasons thereof shall be submitted by the warehouse incharge in every monthly wastage statement, to the Assistant Commissioner of the district concerned, who will enquire into the matter and submit the same along with his comments to the Deputy Commissioner of the division for necessary order, provided that when such wastages are higher than the permissible limit enumerated in Rule (3) by 1.0%, the matter shall be reported by the Deputy Commissioner to the Excise Commissioner, for necessary orders who shall decide it under the financial powers delegated to him in such cases.

(b) *Increase in weight.—* If there be any increase in weight, such increase should be entered into the register meant for this purpose and full details shall be reported through proper channel to the Deputy Commissioner.

GULZARILAL,  
Commissioner,Excise and Taxation,  
Rajasthan, Udaipur.

# Rules for regulating the rate of country-Liquor and Hemp Drugs, 1959.

Excise and Taxation Department Rajasthan Udaipur

## NOTIFICATION

*Udaipur, August 11, 1959.*

No. F. 2/67 (516) Ex.4247.—In exercise of the powers conferred by clause (iii) of sub-section (e) of section 42 of the Rajasthan Excise Act, 1950, the Excise Commissioner, with the previous sanction of the Government and in supersession of Notification on the subject, No. F. 20(3/1) Ex/L/58, dated 24th April, 1958 published in the Rajasthan Raj-Pratra, Part IV-C, dated May 29, 1958 on page 330, is pleased to make the following rules, viz:-

1. No country liquor retail licensee shall sell liquor except of the varieties and strength specified below which alone are permitted to be manufactured by the various licensed distilleries of Rajasthan for a price in excess of that shown against each variety:—

S. No.	Variety of liquor	Strength	Price per quart.
1.	Jagmohan (dark saffron colour)	10 U. P. ,,	10.50 n.p.
2.	kesar kasturi (light saffron colour)	5 U. P. ,,	6.75 "
3.	Rose (red rose colour)	20 U. P. ,,	5.00 "
4.	Orange (Orange colour)	25 U. P. ,,	4.50 "
5.	Plain (green)	35 U. P. ,,	3.50 "
6.	Plain (light caramel colour) supplied to Hilly tracts in Udaipur Division and Udaipurwati of Ajmer Division.	60 U. P. ,,	1.40 "
7.	For supply in the border areas of Chittor District (except the area of former Partabgarh State and Bans- wara District) and kotah and Jhalawar district of kotah Division touching the districts of Mandsaur, Rajgarh and Guna of Madhya Pradesh— (a) Orange (Orange colour) (b) Plain (dark caramel colour) (c) Plain (light caramel colour)	25 U.P. ,, 45 U.P. ,, 60 U.P. ,,	4.50 " 3.08 " 2.20 "
8.	For supply in the border areas in Banswara District and former		

2 ] Rules for regulating the rate of Country Liquor and Hemp Drugs, 1959

Partabgarh State in Chittor District  
touching the Districts of Jhabua and  
Ratlam of Madhya Pradesh—

- |                                  |         |   |      |   |
|----------------------------------|---------|---|------|---|
| (a) Orange (Orange colour)       | 25 U.P. | „ | 4.50 | „ |
| (b) Plain (dark caramel colour)  | 45 U.P. | „ | 2.00 | „ |
| (c) Plain (light caramel colour) | 60 U.P. | „ | 1.40 | „ |

2. No hemp drugs retail licensee shall sell Bhang except that issued from the Government Warehouses for a price in excess of that shown below:—

S.No.	Hemp Drugs	Price
1.	Bhang	Rs. 7.50 nP. per seer.
2.	Bhang, as supplied in the border areas touching Madhya Pradesh	Rs. 8.50 nP. per seer.

This shall take effect from 1st April, 1959.

GULZARILAL,  
*Commissioner, Excise and Taxation,*  
*Rajasthan, Udaipur.*

# Rajasthan Stock-taking and wastage of Liquor Rules, 1959.

## Excise and Taxation Department NOTIFICATION

*Udaipur, January 25, 1960.*

No.F. 326 (5/6) E.t. 5371.—In exercise of the powers conferred by sub section (a) and (b) of section 42 of the Rajasthan Excise Act, 1950 (Rajasthan Act No 2 of 1950), the Excise Commissioner with the previous sanction of the State Government does hereby make the following rules, regarding stock taking and wastage of Liquor at Distilleries and Ware-houses, namely:—

1. *short title and commencement.*—(1) These rules may be called the Rajasthan Stock taking and Wastage of Liquor Rules, 1959.

(2) They shall come into force at once.

2. *Definitions.*—(1) In these rules unless, there is any thing repugnant in the subject or context:—

(a) “Officer-in charge” means the Excise Inspector or Excise clerk as the case may be who is incharge of a distillery or ware house.

(b) “Vat” means any fixed vessel used for the storage of spirit.

(c) ‘Warehouse’ means a building, either part of a Distillery or independent of it in which spirit in a fit state for issue is stored.

(2) Words and expressions not defined in these Rules but defined in the Rajasthan Excise Act 1950, shall have the meaning assigned to them in the aforesaid Act.

3. *Stock to be taken monthly:*—On the last working day of every calendar month after all issues for that day are made the officer incharge shall gauge and prove the spirit in each vat in order to verify the stock and ascertain the wastage on each class of spirit at the “distillery and warehouses. He shall enter the results in his own handwriting separately in the page then in use in the vat Account Register in Form D. 12 and in the Bottling Account Register in Form D. 13 sign the entry tally with the entries of the contractor’s account, compile stock taking statement of monthly receipts, issues and spirit stock account in Form D. 22 and despatch it to the Assistant Commissioner of the district.

4. *Wastage allowance.*—(1) (a) The free allowances for the actual wastage for different kinds of spirit stored in distillery or warehouse shall be as follows:—

(i) Rectified spirits.

1.5%

(ii) Plain, Sophisticated and spiced spirits.	1.0%
(iii) Denatured spirits.	1.5%

(b) An allowance of  $\frac{1}{2}\%$  wastage may be allowed in blending reducing operation.

(2) If the total wastage on any kind of spirit does not exceed 3%, duly will be charged on the net wastage in excess of the free allowances. But if the total wastage exceeds 3%, duty shall be liable to be charged to the whole wastage (without allowing for the free allowances) at the rate of duty leviable on that spirit.

(3) When the wastage does not exceed the prescribed limit, no action need be taken by the Officer-in-charge, but when an excess is found in any case at the time of monthly stock taking, the Officer-in-charge shall obtain written explanation from the distiller or his agent or in case of Government Warehouse he shall submit his own explanation and forward the same, together with a full report of the circumstances, to the Assistant Excise Commissioner. The Assistant Excise Commissioner will forthwith investigate into the matter and report to the Deputy Excise Commissioner, who will pass final orders in case the total wastage does not exceed by 3%. In case the total wastage exceeds 3%, the matter shall be reported by the Deputy Excise Commissioner with his clear recommendations to the Excise Commissioner for orders.

5. Allowance for loss in transit.—(1) An allowance will be made for the actual loss in transit, by leakage, evaporation or other unavoidable cause, of spirit transported or exported under bond.

The allowance is subject to the following maximum limits:

*For wooden Casks.*

For a journey of not greater duration than two days.	2%
For journey of duration exceeding two but not exceeding nine days	3%
For a journey of duration exceeding nine but not exceeding eighteen days.	4%
For a journey of duration exceeding eighteen days	5%

*For Metal Vessels.*

For a journey of not greater duration than nine days.	1%
For a journey of duration exceeding nine days.	$1\frac{1}{2}\%$

(2) The allowance to be made under this rule will be determined by deducting from the quantity of spirit despatched from the distillery, the quantity received at the place of destination, both quantities being stated in terms of London proof. The allowance

will be calculated on the quantity contained in each cask or other receptacle comprised in a consignment after actually gauging and proving.

(3) Duration of journey will be reckoned from the date of issue from distillery to the date of taking account at destination, both dates inclusive. Officers in-charge shall take account with as little delay as possible after arrival of spirit at destination.

(4) The following examples will illustrate the making of calculations under this rule:—

(a) Woodan Casks.

Date of issue from distillery.	March, 2, 1957.
Date of taking account at destination.	March, 11, 1957.
Duration of journey.	Ten days.
Allowance admissible according to scale.	4%
Quantity issued from distillery.	56.6 L. P. Gallons.
Quantity Received at destination.	50.2     , "      "
Less admissible.	2.3     , "      "
Excess loss.	4.1     , "      "

*Note:—Four percent on 56.6 L. P. Gallons* =  $\frac{56.6 \times 4}{100}$  = 2.254, and

when the centesimal figure in the result is 5 or over, the decimal figure is increased by 1, that is the correct loss admissible is 2.3

(b) Metal Vessel.

Date of issue from distillery.	March 1, 1957.
Date of taking account at destination.	March 2, 1957.
Duration of journey	Two days.
Allowance admissible according to scale.	1%
Quantity issued from distillery	54.2. L.P. Gallons.
Quantity received at destination	53.7     , "      "
Loss admissible.	0.5     , "      "

*Note:—One per cent, one 54.2. L. P. Gallons* =  $\frac{54.2 \times 1}{100}$  = 0.542;

and the centesimal figure not being 5 or over, the loss admissible is 0.5.

(5) If the report of the Excise Officer by whom the consignment of spirit has been gauged and proved at its destination, shows that wastage has occurred above the maximum limit allowable, the consigner shall be liable to pay duty on so much of the deficiency as is in excess of the allowance at such rates not exceeding the current duty prevalent at that time, as may be ordered or as may be specified in the bond conveying the consignments:

Provided that, if it be proved to the satisfaction of the Excise Commissioner that such deficiency has been caused by some unavoidable accident or other reasonable cause, the duty levied on such deficiency shall be refunded.

**6. Power of Excise Commissioner to reduce or disallow wastage.**—The Excise Commissioner may reduce or totally disallow the wastage to any of the warehouse or distillery in a particular case.

**7. Statement of Wastage.**—Statement of wastages on each class of spirit at the Distillery and Warehouses shall be prepared by the Officer-in-charge for each month in Form C.L. 3 and shall be sent to the Assistant Excise Commissioner, concerned in the first week off the following month, who will prepare a consolidated statement in Form C.L. 3. warehouse-wise and send the same to the Deputy Excise Commissioner. Half yearly and yearly statements showing different wastages and also showing the excess wastage shall be consolidated at each warehouse and distillery by the Officer-in-charge and shall be submitted by him to the Assistant Excise Commissioner of the District by the 10th day of October and April each year, Office copy of these statements shall be kept on file at each distillery and warehouse. By the 15th April each year the Assistant Excise Commissioner concerned shall prepare a consolidated statement separately for each warehouse and distillery in his charge and shall send the same in Form C.L. 3 to the Excise Commissioner through the Deputy Commissioner of the Division.

**8. Spirits** may be stored in distillaries and warehouses at any strength but to minimise evaporation wastage it is advisable to avoid strong spirits of overproof. In warehouses strong spirits will as far as possible be broken down to issue strength and stored in all available wooden vats. Spirit shall not be stored in iron drums. Spiced liquor like Jagmohan and Kesar Kasturi shall be stored in bottles pints and nips only, at warehouses.

GULZARI LAL,  
Commissioner, Excise & Taxation,  
Rajasthan, Udaipur.

# RAJ. ISSUE AND SALE PRICES OF COUNTRY LIQUOR RULES, 1963

*Notification No. F. 1 Ex./L/64-65.*—In exercise of the powers conferred by clause (e) of Section 42 of the Rajasthan Excise Act, 1950 (Rajasthan Act II of 1950), the Excise Commissioner, with the previous sanction of the State Government and in supersession of the existing rules relating to the price of country liquor as contained in his notification No. F. 23/Ex/L/(1) 63, dated 7-10-1963 as amended by notification No. F. 23/Ex./L/(3/1) 63-I, dated 17-2-1963 and notification No. F. 23/Ex/L/(3/1) 63-I, dated 5-2-1964, hereby makes the following rules, namely:—

1. (1) These rules may be called the Rajasthan Issue and Sale Prices of Country Liquor Rules, 1964.

(2) They shall come into force on and from the 1st April, 1964.

2. *Issue prices.*—The issue price of different varieties of country liquor, that is, the price at which the country liquor will be issued from Government warehouses to the retail licensees shall be as under:—

S.No.	Varieties of liquor	Issue price					
		Strength		Rs.		Rs.	
		Per bottle of 0.75 litre	Per pint of 0.50 litre	Per nip of 0.25 litre	Per nip of 0.25 litre	Per nip of 0.25 litre	Per nip of 0.25 litre
1	2	3	4	5	6	7	8
1. Jag Mohan	.... 10 O.P.	11.85		7.90		3.95	
2. Kesar Kasturi	... 5 U.P.	8.70		5.80		2.90	
3. Rose	.... 20 U.P.	5.85		3.90		1.95	
4. (a) Ginger	.... 25 U.P.	5.50		3.68		1.84	
(b) Orange	.... 25 U.P.	5.25		3.50		1.75	
5. Plain(Green colour)	35 U.P.	4.05		2.70		1.35	
6. Plain(Dark car- mel colour)	45 U.P.	2.25		1.50		0.75	
7. Plain (light cara- mel colour)	.... 60 U.P.	1.65		110		0.55	

**NOTE:—**The rates of issue prices are exclusive of the prices of containers.

**3. Sale price.**—There shall be no restriction on the retail sale price chargeable by a retail sale licensee.

**Clarifying Note:**—The following is a clarifying note and does not form part of this notification:—

(1) The issue prices shown in rule 2 are the same as at present in force. No change is involved. In consequence of amendment now made in the rule they will apply also to licensees on commission under rule 57 (2) of the Rajasthan Excise Rules, 1956.

(2) Rule 3 is the same as introduced by notification No. F. 23/Ex/L )3/1) 63-I, dated 5-2-64, and will be applicable to all licensees including those on commission under rule 57(2) *ibid*.

(3) Rule 4 relating to Commission has been omitted in consequence of the position explained above.

(4) Licensees on commission under rule 57 (2) *ibid* will also be entitled in consequence of rules 2 and 3 of these rules to retain the difference between the retail sale price and the issue price as their profit, and this will be treated as their commission under the conditions of licence to be issued to them.

(5) These rules come into force on and from the 1st April 1964.

[Excise and Taxation Department Notification dated 31-3-64 published in Rajasthan Gazette Extraordinary Part 4 (Ga) dated 1-4-64].

Office of The Excise Commissioner,  
Rajasthan  
Udaipur, September 22, 1967.

**Notification No. F. 1 (Ex-L)/67.**—In exercise of the powers conferred by clause (e) of section 42 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950), the Excise Commissioner, with the previous sanction of the State Government hereby makes, with immediate effect, the following amendment in the Rajasthan Issue and Sale Prices of Country Liquor Rules, 1964, namely:—

#### *Amendment*

In the Rajasthan Issue and Sale Prices of Country Liquor Rules, 1964, for rule 2, the following shall be substituted, namely:—

**“2. Issue prices.**—The issue prices of different varieties of country liquor, that is, the price at which the liquor will be

issued from Government Warehouses to the retail licencees shall be as under:—

S.No.	Variety of liquor	Strength	Issue price per bulk litre
1	2	3	4
1.	Kesar Kasturi	5 U.P.	21.72
2.	Rose	25 U.P.	13.60
3.	Sonf	30 U.P.	12.64
4.	Ginger	25 U.P.	10.36
5.	Orange	25 U.P.	10.36
6.	Malta	25 U.P.	10.36
7.	Plain (Green colour)	40 U.P.	7.08
8.	Pineapple	45 U.P.	6.52
9.	Plain (Dark caramel colour)	45 U.P.	4.52
10.	Plain (Light caramel colour)	60 U.P.	3.28

NOTE:—The rates of issue prices are exclusive of the prices of containers, but inclusive of excise duties levied under Government Notification No. F. 1 (20) FD/EX/67/, dated the 29th May, 1967”.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 22-9-67 Page 532]

# RAJASTHAN COUNTRY LIQUOR (FIXATION OF STRENGTH) RULES, 1963.

*Notification No. F. 23/EX/L/(3/1)63.I.—In exercise of the powers conferred by clause (e) of section 42 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950) and in supersession of previous rules on the subject, the Excise Commissioner with the previous sanction of the State Government hereby makes the following rules, namely:—*

1. *Short title.*—These rules may be called the Rajasthan Country Liquor (Fixation of Strength) Rules, 1963.

2. *Strength of country liquor.*—The strength in excess of or below which various authorised varieties of country liquor shall not be sold or supplied or possessed is fixed as follows, namely:—

S.No.	Variety of liquor	Strength
1.	Jagmohan ...	10 O.P.
2.	Kesarkasturi	5 U.P.
3.	Rose	20 U.P.
4.	Ginger	25 U.P.
5.	Orange	25 U.P.
6.	Plain (green colour)	35 U.P.
7.	Plain (dark caramel colour)	45 U.P.
8.	Plain (light caramel colour)	60 U.P.

Office of The Excise Commissioner,  
Rajasthan

Udaipur, May 29, 1967.

*Notification No. F. 1 (Ex)/L/67.—In exercise of the powers conferred by clause (e) of section 42 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950), the Excise Commissioner, with the previous sanction of the State Government, hereby makes with immediate effect the following amendment in the Rajasthan Country Liquor (Fixation of Strength) Rules, 1963, namely:—*

#### *Amendment*

In the Rajasthan Country Liquor (Fixation of Strength) Rules, 1963, for the existing rule 2 the following shall be substituted, namely:—

2 ] Raj. Country Liquor (Fixation of Strength) Rules, 1963

**"2. Strength of Country liquor.**—The strength in excess of or below which various authorised varieties of Country Liquor shall not be sold or supplied or possessed, is fixed as follows, namely:—

S.No,	Variety of Liquor	Strength
1	2	3
1.	Kesar Kasturi	5 U.P.
2.	Rose	25 U.P.
3.	Sonf	30 U.P.
4.	Ginger	25 U.P.
5.	Orange	25 U.P.
6.	Malta	25 U.P.
7.	Plain (Green colour)	40 U.P.
8.	Pineapple	45 U.P.
9.	Plain (Dark caramel colour)	45 U.P.
10.	Plain (light caramel colour)	60 U.P.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 29-5-67 Page 190]

## Rajasthan Issue and Sale Prices of Bhang Rules, 1964.

*Notification No. F. 326 (5/6) Ex/63-64*—In exercise of the powers conferred by clause (e) of section 42 of the Rajasthan Excise Act, 1950 (Rajasthan Act II of 1950), the Excise Commissioner, with the previous sanction of the State Government and in supersession of the existing rules relating to the price of bhang, hereby makes the following rules, namely:—

1. (1) These rules may be called the Rajasthan Issue and Sale Prices of Bhang Rules, 1964.

(2) They shall come into force on and from 1st April, 1964.

2. *Issue price*.—The issue price of bhang, that is, the price at which bhang will be issued from Government warehouses to the retail licensees shall be Rs 8.50 nP. per kilogram.

3. *Sale price*.—The retail sale price charged by a retail sale licensee of bhang shall be Rs. 9.05 per kilogram.

[Excise and Taxation Department Notification dated 1-4-64 Published in Rajasthan Gazette Extraordinary Part 4 (Ga) dated 1-4-64].

# RAJASTHAN LIQUOR PROHIBITION RULES, 1967.

Finance Department  
(Excise Section)

Jaipur, September 29, 1967

*Notification No. 1 (62) FD/Ex/67/3013.*—In exercise of the powers conferred by sub-section (1) of section 41 of the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950), read with sub-section (4) of section 19 thereof, the State Government hereby makes the Rajasthan Liquor Prohibition Rules 1967, and orders with reference to the proviso to sub-section (3) of said section 41 that previous publication of these rules be dispensed with as the State Government considers that the rules should be brought into force at once, namely :—

## A-Preliminary.

1. *Short title, extent and commencement.*—(a) These rules may be called the Rajasthan Liquor Prohibition Rules, 1967.  
(b) They shall apply to all prohibition areas in the State to which the Act extends.  
(c) They shall come into force on and from the 2nd day of October, 1967.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context,—

- (a) "Act" means the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950);  
(b) "brandy" means any foreign liquor obtained after distillation of grapes or sophisticated by the addition of essences of brandy whether imported from abroad or made in India ;  
(c) "Form" means a form appended to these rules;  
(d) "Government" means the Government of the State of Rajasthan;  
(e) the expression "import", "transport" and "sale" have the same meanings as are assigned to them under the Act ;  
(f) "Medical certificate" means a certificate given by a registered medical practitioner to a person, certifying the quantity of brandy to be possessed by the latter for his bonafide medicinal use ;

(g) "prohibition area" means any area where under sections 13 and sub-section (4) of section 19 of the Act the State Government has, by notification, prohibited the possession (for sale or otherwise) and the import or transport of any kind of liquor save under the provisions made in these rules;

(h) "registered medical practitioner" means any person who is entitled to practise any system of medicine in the State under any law relating to medical practitioners; and

(i) "section" means a section of the Act.

### B-Possession

**3. Possession import and transport of liquor in prohibition area**—Save as herein provided, no person shall possess (for sale or otherwise) and import or transport any kind of liquor in the prohibition area :—

(a) denatured spirit not exceeding 075 litres and denatured spirituous preparation not exceeding 1.75 litres;

(b) denatured spirit or denatured spirituous preparation for industrial, scientific, educational or other similar purposes, held under a permit granted by the District Excise Officer;

(c) rectified spirit in the possession of chemists, medical practitioners and persons in-charge of laboratories under a licence granted under rule 56 of the Rajasthan Excise Rules, 1956;

(d) rectified spirit and absolute alcohol for educational and scientific purposes in the possession of schools, colleges, institutions and hospitals, under a licence granted under the Rajasthan Excise Rules, 1956;

(e) liquor meant for members of the armed forces serving in prohibition area;

(f) liquor up to the limit of private possession, as indicated below, in the possession of any foreigner residing in the prohibition area :—

(i) Foreign liquor whether imported or made in India. One bottle of the capacity of 750 millilitres or upto 12 such bottles on payment of permit fees according to the following graduated scale for a financial year or a part thereof

Quantity	Permit fee
Exceeding one but not exceeding three bottles each of the capacity of 750 milli-litres.	Five Rupees.
Exceeding three but not exceeding six bottles each of the capacity of 750 milli-litres.	Ten Rupees.
Exceeding six but not exceeding twelve bottles each of the capacity of 750 milli-litres.	Twenty Rupees.
(ii) Beer whether imported or made in India.	Six bottles each of the capacity of 750 milli-litres.
(iii) Order (liquor manufactured by fermentation of the juice of any fruits) whether imported or made in India.	Six bottles each of the capacity of 750 milli-litres.
(g) liquor covered by necessary passes while in transit in the prohibition area transported for other area;	
(h) liquor possessed by any excise officer of Government acting in his official capacity.	
(f) Medical and Toilet preparations;	
(j) Consignments of liquor in transit by rail or road through the prohibition area for destinations outside such area, provided the consignments are not tempered with or used during transit;	
(k) Foreign tourists, who are in possession of a liquor permit issued by the Director of Tourism or any competent authority of any State or Centrally Administered Area or the Government of India Tourist Office in India or abroad or the Indian Missions abroad up to the quantities covered by liquor permits in their possession;	
(l) Any person or institution may keep in his possession and use any liquor for a religious purpose in accordance with ancient custom, under a permit granted by the Excise Commissioner.	

4. *Permits and licences for possession etc, of liquor:-*  
Notwithstanding anything contained in rule 3:-

- (a) Any person on application may obtain brandy on the authority of a permit in Form R. Pn. 1 granted by the District Excise Officer for his bona fide medicinal use on the production of a medical certificate in Form R. Pn. 2.
- (b) A medical practitioner in managing and supervising charge of a Government, Local Fund, Railway or charitable hospital or dispensary, may possess brandy not exceeding the requirement of such hospital or dispensary for twelve months under a permit issued by the District Excise Officer.

*C—Import and Transport of Brandy*

5. *Import and transport of brandy by licensed vendor.*—A licensed vendor may import or transport brandy on the authority of a permit and a pass, as the case may be, granted by the District Excise Officer.

6. *Import or transport of brandy for hospitals and dispensaries etc.*—A medical practitioner in managing or supervising charge of a Government, Local Fund, Railway, or Charitable hospital or dispensary may import or transport such quantity of brandy as may be specified in a permit issued by the District Excise Officer.

*D—Sale of Brandy*

7. *Sale of brandy by licensee.*—A licensee shall sell brandy to a person holding permit issued under these rules.

8. *Authority to grant licence.*—The excise Commissioner may grant a licence in form R. Pn. 3 for retail vend of brandy.

9. *Procedure for grant of licence.*—A person desirous of obtaining a licence in Form R. Pn. 3 shall apply to the Excise Commissioner through the District Excise Officer in Form R. Pn. 4. The Excise Commissioner may for reasons to be recorded in writing, refuse to grant the licence.

*E—Maintenance of Accounts*

10. *Register of permits.*—A register in Form R. Pn. 5 showing the particulars of the persons granted permits under these rules, shall be maintained in the office of the District Excise Officer.

11. *Maintenance of accounts by licensee.*—The licensee shall maintain regular accounts of his daily transactions in Form R. Pn. 6 and shall submit a monthly return thereof in Form R. Pn. 7 by the 5th of the next month to the District Excise Officer.

**12. Licensee bound by other rules under the Act.**—The licensee shall in addition to these rules, be bound to observe all the rules under the Act, which may be applicable to his licence.

**13. Fee for licence and other matters relating thereto.**—(i)

The fee for the licence in Form R. Pn. I shall be the same and shall be assessed and recovered in the same manner, as is prescribed for a licence for sale of foreign liquor off the premises under the Rajasthan Excise Rules, 1956:

(ii) In all matters not specified in these rules, the Rajasthan Excise Rules, 1956 shall apply *mutatis-mutandis*.

**FORM R. Pn-I.**

[ Rule 4 (a) ]

*Permit for purchase, possession and Transport of liquor in the Prohibition Areas.*

District.....

Permit .....

Date of issue of permit .....

Name..... Father's name.....

Profession..... residence.....

Street/Ward/..... Police Station.....

District (in which situated).....

is permitted to purchase ..... milli-litres liquor from ..... (Licence-holder) and may transport from.....

(place) to..... (Place) for bona fide medicinal use.

Note:—This permit will remain in force upto.....

*Important Conditions.*

1. The permit holder shall use the liquor only as medicine. Except without permission from the authority who issued the permit, the permit holder shall have not power to pass on the liquor to any one but members of his family.

2. The permit may be cancelled on breach of any of the conditions as written on the permit.

3. The permit holder shall keep the liquor purchased under permit in his own custody.

4. The permit holder shall abide by the Rajasthan Liquor prohibition Rules, 1967.

District Excise Officer  
(Rubber Stamp)

## FORM R. Pn. 2

( Rule 3 )

*Form of Medical certificate to be granted under the Rajasthan Liquor Prohibition Rules, 1967.*

Certified that Shri.....son of.....  
age .....years ( male or female ) .....  
residing in .....house No.....  
Mohalla or ward .....Police Station ..  
in.....district, is suffering from disease, namely.....  
.....and that.....milli-litres/Litres of  
brandy is prescribed as a medicine.

Place..... Signature of Medical Practitioner.  
Date ..... Registered No.....

## FORM R. Pn. 3.

( Rule 8 )

*Licence for the retail vend of brandy for consumption off the premises in  
prohibition area.*

District.. ....

Registered Number.....

This licence authorising the retail vend of brandy for "off-consumption" only on the premises specified below and for the period from....to..... is granted to Shri .....son of.....  
resident of.... police station in.....district.

*Description of premises*

Shop No..... Ward No.... in.....  
(town or city)

*Boundaries.*

North..... East..... South..... West.....

This licence is granted subject to the provisions of the Rajasthan Liquor Prohibition Rules, 1967, and subject to the payment of the licence fee prescribed in the said Rules.

*Special Conditions.*

(1) The licensee shall not sell brandy except to persons holding permits issued under these rules upto the quantity specified therein for consumption off the premises only.

(2) The licensee shall keep his premises closed on days and during hours endorsed on the licence or specially ordered by the Excise Commissioner.

(3) The licensee shall furnish such information as may be demanded from him by any Excise Officer of the district.

(4) The licensee shall keep brandy of such brands and shall sell it at such price as may be directed by the Excise Commissioner from time to time.

(5) The licensee shall, in addition to these conditions, be bound to observe all the general conditions which may be applicable to a foreign liquor licence issued under the Rajasthan Excise Rules, 1956.

Signature of the licensee.      Excise Commissioner, Rajasthan.

FORM R. Pn. 4

(Rule 9)

*Form of application for grant of licence for sale of brandy in prohibition area.*

1. Name of applicant	.....
2. Father's name	.....
3. Resident of:	.....
(1) House No.	.....
(2) Ward	.....
(3) Town or City	.....
(4) Police Station	.....
4. Brief history of the previous business	.....
5. Locality of the premises to be licensed <small>(Full Particulars to be given)</small>	.....
6. Name of the shop or establishment	..... <small>(Whether firm, society, partnership or Company)</small>

I do hereby declare that I shall abide by the law in force in respect of the import, transport, possession and sale of brandy.

Dated ..... 196

Signature of applicant.

(This application is to be submitted to the Excise Officer of the district who shall transmit it to the Excise Commissioner with his comments).

**FORM R. Pn. 5**

( Rule 10 )

Rajasthan Liquor Prohibition Rules, 1967

Register showing the particulars of persons granted permits under the Rajasthan Liquor Prohibition Rules, 1967.

Serial No.	Date of issue of permit	Name, percentage, allowed form of permit holder.	Date and validity of the certificate and his Practitioner issuing the certificate	Period of validity	Quantity allowed (Millilitres)	Issue Date and number of the Medical Certificate Registered No.
1	2	3	4	5	6	7

**FORM R. Pn. 6**

( Rule 11 )

Rajasthan Liquor Prohibition Rules, 1967

Register to be maintained by a person holding a licence in Form R. Pn 3 under the Rajasthan Liquor Prohibition Rules, 1967.

Month and Date	Name and address of the distiller or the licensee from whom received	No. and date of the pass	Quantity Litres	Quantity Milli-litres	Number of Indian permits	Particulars of the permit	Quantity in Milli-litres	Imported Indian holder. Imported Indian
1	2	3	4	5	6	7	8	9
10	11	12	13	14	15	16	17	18

Balance		Imported		Indian		REMARKS	
Litres	Milli-litres	Litres	Milli-litres	Litres	Milli-litres		
12	13	14	15	16			

FORM R. Pn. 7  
*( Rule II )*

Name of the licensee.....Place.....

Month Balance at the close Receipts during Total of columns Sales during the Balance at close Remarks  
and of previous month. the month. 2 and 3 month.  
year

1	2	3	4	5	6	7

Imported Indian Imported Indian Imported Indian Imported Indian  
Date.....  
Place.....

Signature of the licensee

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*Rules and Notifications under*

**EXCISE (AMENDING AND EXTENDING) ACT, 1957**

**THE RAJASTHAN (No. 38 OF 1957)**

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# RULES AND NOTIFICATION UNDER Rajasthan Excise (Amending and Extending Act, 1957.

## *Note*

As it was originally intended to cover this enactment under the heading of "Rajasthan Excise Act, 1950", this Act was not listed in the list of enactments appended with the introduction of the Compendium. But on second thoughts the editors have chosen to have a separate heading for this enactment so as to have the uniform system.

*PUBLISHER.*

*Notifications under*

**RAJ. EXCISE (AMENDING AND EXTENDING) ACT, 1957**

*Published in Raj. Raj-patra Dated January 0, 1958 part IV (c) at page 952 .*

Excise and Taxation Department

**NOTIFICATION.**

Jaipur, January 21, 1958

*No. F. 1 (78)/E&T/56.—In pursuance of the power conferred by sub-section (2) of section 1 of the Rajasthan Excise (Amending & Extending) Act, 1957 (Act No. 38 of 1957), the State Government does hereby appoint the 1st February, 1958 as the date on which the said Act shall come into force.*

By Order of the Governor,

G. S. PUROHIT,

*Secretary to the Government.*

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*Rules and Notifications under*

EXPLOSIVES ACT, 1884 (CENTRAL ACT No. 4 OF 1884)

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*Notifications under*

# INDIAN EXPLOSIVES ACT, 1884

*Published in Raj. Ratn-patra Vol. 3 part I at page 759 :*

## HOME DEPARTMENT. Press Note.

Jaipur, November 20, 1951.

No. D-21/Home/II/51.—The Explosives Rules 1940 and Gas Cylinder Rules 1941 framed under the Indian Explosives Act, 1884 and the Petroleum Rules 1937, Carbide of Calcium Rules 1937 and Cinematograph Film Rules, 1948 framed under the Petroleum Act, 1934 have been applied to this State with effect from 1st July, 1951.

The administration of these subjects on an agency basis by the State Government terminated concurrently from same date. Every licence for Petroleum, Carbide of Calcium and Film in force in the State on 30th June, 1951 will remain in force till 31st December, 1951. Similarly every Explosives licence in force on the 30th June, 1951 other than a licence for the import of Explosives shall continue to remain in force until 31st March, 1952.

The responsibility for the administration of these Central Rules in the Indian Union now rests with the Chief Inspector of Explosives in India whose address is Shabjahan Road, New Delhi.

The jurisdiction of the five circle offices of the Explosives Department are as under, and in future all applications for the grant, renewal and amendment of licences under the above rules should be addressed to the Inspector of Explosives concerned:—

1. Inspector of Explosives, West Circle, Bombay—  
Bombay, Saurashtra and Kutch.
2. Inspector of Explosives East Circle, Calcutta—  
West Bengal, Bihar, Orrisa, Assam, Manipur & Tripura.
3. Inspector of Explosives, South Circle, Madras—  
Madras, Travancore-Cochin, Mysore, Coorg & Andaman and Nicobar Islands.
4. Inspector of Explosives, North Circle, Agra—  
Uttar Pradesh, Punjab, Delhi, Rajasthan, Patiala and East Punjab States Union, Bilaspur, Himachal Pradesh and Ajmer.
5. Inspector of Explosives, Central Circle, Nagpur—  
Madhya Pradesh, Hyderabad, Madhya Bharat, Bhopal and Vindhya Pradesh.

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*Rules and Notifications under*

FACTORIES ACT, 1948 (CENTRAL ACT No. 53 OF 1948)

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# THE RAJASTHAN FACTORIES RULES, 1951

## Notes

Section 112 of the Indian Factories Act, 1948 vests the State Government with the general power to make rules. The section requires the State Government to make rules providing for any matter which, under any of the provisions of the Act, is to be or may be prescribed or which may be considered expedient in order to give effect to the purposes of the Act.

These rules have subsequently been amended through Labour Department Notifications (two) of same i. e. No. F. 15 (4) Lab./52 of the same date i. e. 13th August, 1957. Both the notifications have been published in Rajasthan Rajpatra, part IV (c), dated 12th September 1957 and 19th September, 1957. The amendments effected through these notifications have been incorporated in the body of these rules and for the sake of convenience the notifications published in the Gazette of 12/9/57 has hereafter been referred to as first notification and notification published in the Gazette of 19/9/57 has hereafter been referred to as second notification.

## LABOUR DEPARTMENT.

### NOTIFICATION

Jaipur, July 24, 1952.

No. F. 15 (4) Lab./52.—In exercise of the powers conferred by section 112 of the Factories Act, 1948 (LXIII of 1948), the Government of Rajasthan is pleased to make the following Rules namely:—

## CHAPTER I.

### Preliminary.

1. *Short title, extent and commencement.*—1) These Rules may be cited as the Rajasthan Factories Rules, 1951.

(2) These Rules shall extend to the whole of Rajasthan.

(3) These Rules, except Rules 29 to 33, 53, 66, 68 to 80 and 100 shall come into force on 1st September, 1952, and Rules 29 to 33, 53, 60, 68 to 80 and 100 shall come into force on such dates as are specified therein.

2. *Definitions.*—In these Rules unless there is anything repugnant in the subject or context:—

(a) "Act" means the Factories Act, 1948, and a "section" means a section of the Act.

(b) "Appendix" means an appendix appended to these Rules.

(c) "Artificial Humidification" means the introduction of moisture into the air of a room by any artificial means whatsoever, except the unavoidable escape of steam or water vapour into the atmosphere directly due to a manufacturing process:

Provided that the introduction of air directly from outside through moistened mats or screens placed in openings at times

when the temperature of the room is 80 degrees or more shall not be deemed to be artificial humidification.

(d) "Belt" includes any driving strap or rope.

(e) "Degree" (of temperature) means degrees on the Fahrenheit scale.

(f) "District Magistrate" includes such other official as may be appointed by the State Government in that behalf.

(g) "Fume" includes gas or vapour.

(h) "Health Officer" means the Municipal Health Officer or District Health Officer or such other official as may be appointed by the State Government in that behalf.

(i) "Hygrometer" means an accurate wet and dry bulb hygrometer conforming to the prescribed conditions as regards constructions and maintenance.

(j) "Inspector" means an officer appointed under section 8 of the Act and includes "Chief Inspector".

(k) "Maintained" means maintained in an efficient state, in efficient working order and in good repair.

(l) "Manager" means the person responsible to the occupier for the working of the factory for the purposes of the Act.

#### Rules 3 to 11 prescribed under sub section (1), of section 6.

##### Notes

The rules 3 to 11 have been made with a view to put into effect the requirements of section 6 of the Act which reads as under :—

(1) The State Government may make rules—

(a) requiring the previous permission in writing of the State Government or the Chief Inspector to be obtained for the site on which the factory is to be situated and for the construction or extension of any factory or class or description of factories ;

(b) requiring for the purpose of considering application for such permission the submission of plans and specifications ;

(c) prescribing the nature of such plans and specifications and by whom they shall be certified ;

(d) requiring the registration and licensing of factories or any class or description of factories, and prescribing the fees payable for such registration and licensing and for the renewal of licences ;

(e) requiring that no licence shall be granted or renewed unless the notice specified in section 7 has been given.

(2) If on an application for permission referred to in clause (a) of sub section (1) accompanied by the plans and specifications required by the rules made under clause (b) of that sub section, sent to the State Government or Chief Inspector by registered post, no order is communicated to the applicant within three months from the date on which it is so sent, the permission applied for in the said application shall be deemed to have been granted.

(3) Where a State Government or Chief Inspector refuses to grant permission to the site, construction or extension of a factory or to the registration and licensing of a factory, the applicant may within thirty days of the date of such refusal appeal to the Central Government, if the decision appealed from was of the State Government, and to the State Government in any other case.

*Explanation.*—A factory shall not be deemed to be extended within the meaning of this section by reason only of the replacement of any plant or machinery, or within such limits as may be prescribed, for the addition of any plant or machinery.

3. *Approval of plans.*—(1) No building shall be constructed or extended or taken into use as a factory or a part of a factory after the date of the commencement of the Act, unless previous permission in writing is obtained from the Chief Inspector of Factories.

Application for such permission shall be made in the prescribed Form No. 1 which shall be accompanied by the following documents:—

(a) A flow chart of the manufacturing process supplemented by a brief description of the process in its various stages.

(b) Plans in duplicate drawn to scale showing:—

(i) the site of the factory and immediate surroundings including adjacent buildings and other structures, roads, drains etc.; drawn to a scale not less than 1" equal to 40' ;

(ii) the plan elevation and necessary cross-sections of the various buildings, indicating all relevant details relating to natural lighting, ventilation and means of escape in case of fire. The plans shall also clearly indicate the position of the plant and machinery, aisles and passage ways; and shall be drawn to a scale not less than 1" equal to 8' ; and

(c) Such other particulars as the Chief Inspector may require.

(2) If the Chief Inspector is satisfied that the plans are in consonance with the requirements of the Act, he shall, subject to such conditions as he may specify, approve them by signing and returning to the applicant one copy of each plan; or he may call for such other particulars as he may require to enable such approval to be given.

4. *Notice of occupation of a Factory and application for its registration and licence.*—The occupier of every factory in use on or after the date of commencement of the Act, shall submit to the Chief Inspector an application in Form No. 2 for registration of the Factory and grant of licence, provided that—

(a) in the case of any factory already in existence on or from any date between the first April, 1949, and 31st August, 1952, both days inclusive, the application in the aforesaid Form No 2 shall be submitted to the Chief Inspector within 30 days from the date of enforcement of these Rules, or

(b) in the case of any factory which comes into existence and is in use on the 1st September, 1952, or any date thereafter, the aforesaid application in form No. 2 shall be submitted to the Chief Inspector atleast 30 days before he begins to occupy or use any premises as a factory, provided that nothing in this rule shall be deemed to require the occupier of any such factory to submit the application on any date before the 30th day of the month of September, 1952.

*Notes*

The words, "accompanied by notice of occupation in the prescribed Form No. 3 in duplicate" in clauses (a) and (b) of rule 4 have been deleted through second notification. The existing form No. 2 stands as substituted by the second notification.

**5. Grant of licence.**—(1) A licence for a factory shall be granted by the Chief Inspector in Form No. 4 prescribed for the purpose and on payment of the fees specified in the Schedule hereto.

(2) Every licence granted or renewed under this Chapter shall remain in force upto the 31st of December of the year for which the licence is granted or renewed.

**SCHEDULE**

Quantity of H.P. installed (Max. H.P.)	Maximum number of persons to be employed during the year						
	20	50	100	250	500	750	1,000 and above
Nil	... 10	... 25	Rs. 50	Rs. 125	Rs. 250	Rs. 375	Rs. 500
10	... 50	... 75	25 50	60 100	150 250	300 500	450 750
50	... 100	... 125	50 100	100 125	250 150	500 375	750 1,125
100	... Above 100	... 150	100 150	125 200	150 250	375 500	750 1,125
						1,000 1,500	2,000

**6. Amendment of licence.**—(1) A licence granted under rule 5 may be amended by the Chief Inspector.

(2) A licensee shall be required to have the licence amended if the factory for which the licence is granted exceeds the limits specified in the licence in regard to horse power or the number of persons employed.

(3) A licensee who desires to have his licence amended shall submit it to the Chief Inspector with an application stating the nature of the amendment and reason therefor.

(4) The fee for the amendment of a licence shall be five rupees plus the amount (if any) by which the fee that would have been payable if the licence had originally been issued in the amended form exceeds the fee originally paid for the licence.

**7. Renewal of licence.**—(1) A licence may be renewed by the Chief Inspector and the occupier of every factory, whether or not in existence at the date of the commencement of the Act, shall be bound to get his licence, granted under rules 4 and 5, renewed in accordance with the rule.

(2) Every application for the renewal of a licence shall be [in form No. 2 in triplicate] and shall be made not less than 3 months before the date on which the licence expires, and, if the application is so made, the premises shall be held to be duly licenced until such date as the Chief Inspector renews the licence.

(3) The same fee shall be charged for the renewal of a licence as for the grant thereof:

Provided that if the application for renewal is not received within the time specified in sub rule (2), the licence shall be renewed only on payment of a fee 25 per cent. in excess of the fee ordinarily payable for the licence.

*Notes*

The words and figures "in form No. 2 in triplicate" appearing within brackets in the sub-rule (2) have been substituted for the original words and figure which read as, "accompanied by the notice of occupation in the prescribed form No. 3 in triplicate."

8. *Transfer of licence.*—(1) The holder of a licence, may at any time before the expiry of the licence, apply for permission to transfer his licence to another person.

(2) Such application shall be made to the Chief Inspector who shall, if he approves of the transfer, enter upon the licence, under his signature, an endorsement to the effect that the licence has been transferred to the person named.

(3) A fee of five rupees shall be charged on each such application.

9. *Procedure on death or disability of licensee.*—If a licensee dies or becomes insolvent, the person carrying on the business of such licensee shall not be liable to any penalty under the Act for exercising the powers granted to the licensee by the licence during such time as may reasonably be required to allow him to make an application for the amendment of the licence under rule 6 in his own name for the unexpired portion of the original licence.

10. *Loss of licence.*—Where a licence granted under these Rules is lost or accidentally destroyed, a duplicate may be granted on payment of a fee of rupees five.

11. *Payment of fees.*—(1) Every application under these Rules shall be accompanied by a treasury receipt showing that the appropriate fee has been paid in to the local treasury under the head of account XXXVI—Miscellaneous Departments—Fees for licence of factories.

(2) If an application for the grant, renewal or amendment of a licence is rejected, the fee paid shall be refunded to the applicant.

*Form prescribed under sub-section [1] of section 7.*

*Notes*

The form referred to in this rule has been prescribed in exercise of the powers conferred by sub section (1) of section 7 of the Act.

12. *Notice of occupation.*—The notice of occupation shall be in Form No. 2.

*Notes*

The words, "Form No. 2" have been substituted for words, "Form No. 3" by second notification. The previous 'Form No. 3' has been deleted through the same notification.

## CHAPTER II.

### *Inspecting Staff.*

**Rule prescribed under section 9.**

#### *Notes*

Section 9 of the Act empowers the Inspector to,—

(a) enter with such assistants being persons in the service of the Government or any local or other public authority as he thinks fit, any place which is used, or which he has reason to believe is used, as a factory;

(b) make examination of the premises, plant and machinery, require the production of any prescribed register and any other document relating to the factory, and take on the spot or otherwise statements of any persons which he may consider necessary for carrying out the purposes of this Act;

(c) exercise such other powers as may be prescribed for carrying out the purposes of this Act:

Provided that no person shall be compelled under this section to answer any question or give any evidence tending to incriminate himself.

The clause (c) of this section requires the State Government to prescribe the powers as may be exercised by the Inspector for carrying out the purposes of the Act. The rule 13 has been made for prescribing such power.

**13. Powers of Inspectors.**—An Inspector shall, for the purpose of the execution of the Act, have power to do all or any of the following things that is to say:—

(a) to photograph any worker, to inspect, examine, measure, copy, photograph, sketch or test, as the case may be, any building or room, any plant, machinery, appliance or apparatus any register or document, or anything provided for the purpose of securing the health, safety or welfare of the workers employed in a factory;

(b) in the case of Inspector who is a duly qualified medical practitioner, to carry out such medical examinations as may be necessary for the purposes of his duties under the Act;

(c) to prosecute, conduct or defend before a Court any complaint or other proceeding arising under the Act or in discharge of his duties as an Inspector:

Provided that the powers of the District Magistrates and such other public officers as are appointed to be additional Inspectors shall be limited to the inspection of factories in respect of the following matters, namely:—

Cleanliness (Section 11), Over-crowding (Section 16), Lighting (Section 17), Drinking water (Section 18), Latrines and Urinals (Section 19), Spittoons (Section 20), Precautions in the case of fire (Section 38), welfare (Chapter V), Working hours of adults (Chapter VI except the power of exemption under the proviso to Section 62), Employment of young persons (Chapter VII), Leave with wages (Chapter VIII) and Display of notices (Section 108).

**Rule prescribed under sub-section (4) of section 10.**

#### *Notes*

Sub-section (1), (2) and (3) of section 10 of the Act provide for the appointment of Certifying Surgeons. Sub-section (4) of section 10 requires that the Certifying Surgeon shall carry out such duties as may be prescribed in connection with—

(a) the examination and certification of young persons under this Act ;  
 (b) the examination of persons engaged in factories in such dangerous occupations or processes as may be prescribed ;  
 (c) the exercising of such medical supervision as may be prescribed for any factory or class or description of factories where—

(i) cases of illness have occurred which it is reasonable to believe are due to the nature of the manufacturing process carried on, or other conditions of work prevailing, therein ;

(ii) by reason of any change in the manufacturing process carried on or in the substances used therein or by reason of the adoption of any new manufacturing process, or of any new substance for use in manufacturing process, there is a likelihood of injury to the health of workers employed in that manufacturing process ;

The rule 14 prescribes these duties.

**14. Duties of Certifying Surgeon.**—(1) For purposes of the examination and certification of young persons who wish to obtain certificates of fitness, the Certifying Surgeon shall arrange a suitable time and place for the attendance of such persons, and shall give previous notice in writing of such arrangements to the managers of factories situated within the local limits assigned to him.

(2) The Certifying Surgeon shall issue his certificates in Form No. 5. The foil and counterfoil shall be filled in and the left thumb mark of the person in whose name the certificate is granted shall be taken on them. On being satisfied as to the correctness of the entries made therein and of the fitness of the person examined, he shall sign the foil and initial the counterfoil and shall deliver the foil to the person in whose name the certificate is granted. The foil so delivered shall be the certificate of fitness granted under section 69. All counterfoils shall be kept by the Certifying Surgeon for a period of at least 2 years after the issue of the certificate.

(3) If a certificate of fitness issued to a young person is lost, on receipt of an application for the grant of a duplicate, the Certifying Surgeon after making such enquiries, as he deems fit, may grant a duplicate thereof. Such application shall be forwarded through the occupier of the factory where the young person is employed.

(4) The Certifying Surgeon shall, upon request by the Chief Inspector, carry out such examination and furnish him with such report as he may indicate, for any factory or class or description of factories where:—

(a) cases of illness have occurred which it is reasonable to believe are due to the nature of the manufacturing process carried on, or other conditions of work prevailing therein, or

(b) by reason of any change in the manufacturing process carried on, or in the substances used therein, or by reason of the adoption of any new manufacturing process or of any new substance for use in a manufacturing process, there is a likelihood of injury to the health of workers employed in that manufacturing process, or

(c) young persons are, or are about to be, employed in any work which is likely to cause injury to their health.

(5) For the purpose of the examination of persons employed in processes covered by the Rules relating to Dangerous Operations, the Certifying Surgeon shall visit the factories within the local limits assigned to him at such intervals as are prescribed by the Rules relating to such dangerous operations.

(i) At such visits the Certifying Surgeon shall examine the persons employed in such processes and shall record the results of his examination in a Register known as the Health Register (Form No. 19) which shall be kept by the factory manager and produced to the Certifying Surgeon at each visit.

(ii) If the Certifying Surgeon finds as a result of his examination that any person employed in such process is no longer fit for medical reasons to work in that process, he shall suspend such person from working in that process for such time as he may think fit and no person after suspension shall be employed in that process without the written sanction of the Certifying Surgeon in the Health Register.

(8) The manager of a factory shall afford to the Certifying Surgeon facilities to inspect any process in which any person is employed or is likely to be employed.

(9) The manager of a factory shall provide for the purpose of any medical examination which the Certifying Surgeon wishes to conduct at the factory (for his exclusive use on the occasion of an examination) a room which shall be properly cleaned and adequately ventilated and lighted and furnished with a screen, a table (with writing materials) and chairs.

### CHAPTER III.

#### *Health*

##### **Exemptions under sub-section (2) of section 11.**

###### *Notes*

Section 11 (1) of the Act provides that every factory shall be kept clean and free from effluvia arising from any drain, privy or other nuisance. Sub-section (2) of section 11 provides that,

(2) If, in view of the nature of the operations carried on in a factory, it is not possible for the occupier to comply with all or any of the provisions of sub-section (1), the State Government may by order exempt such factory or class or description of factories from any of the provisions of that subsection and specify alternative methods for keeping the factory in a clean state.

Rule 15 prescribes these exemptions.

15. *Cleanliness of walls and ceilings.*—(1) Clause (d) of sub-section (1) of section 11 of the Act shall not apply to the class or description of factories or parts of factories specified in the Schedule hereto:

Provided that they are kept in a clean state by washing, sweeping, brushing, dusting, vacuum-cleaning or other effective means:

Provided further that the said clause (1) shall continue to apply:—

(i) as respects factories or parts of factories specified in Part A of the said Schedule, to work rooms in which the amount of cubic space allowed for every person employed in the room is less than 500 cubic feet;

*Notes*

Clause (d) of sub-section (1) of section 11 reads as under:—

(d) all inside walls and partitions, all ceilings or tops of rooms and all walls, sides and tops of passages and staircases shall—

(i) where they are painted or varnished, be repainted or revarnished at least once in every period of five years ;

(ii) where they are painted or varnished, or where they have smooth impervious surfaces, be cleaned at least once in every period of fourteen months by such method as may be prescribed ;

(iii) in any other case, be kept white-washed, or colour washed, and the white-washing or colour-washing shall be carried out at least once in every period of fourteen months ;

(ii) as respects factories or parts of factories specified in Part B of the said Schedule, to work rooms in which the amount of cubic space allowed for every person employed in the room is less than 2,500 cubic feet;

(iii) to engine houses, fitting shops, lunch rooms, canteens, shelters, creches, clock rooms, rest rooms, and wash places; and

(iv) to such parts of walls, sides and tops of passages and stair cases as are less than 20 feet above the floor or stair.

(2) If it appears to the Chief Inspector that any part of a factory to which by virtue of sub rule (1) any of the provisions of the said clause (d) do not apply, or apply as varied by sub-rule (1), is not being kept in a clean state, he may by written notice require the occupier to white wash or colour-wash, wash, paint or varnish the same, and in the event of the occupier failing to comply with such requisition within two months from the date of the notice, sub-rule (1) shall cease to apply to such part of a factory, unless the Chief Inspector otherwise determines.

SCHEDULE.

PART A.

Blast furnaces.

Brick and tile works in which unglazed bricks or tiles are made.

Cement works.

Chemical works.

Copper mills.

Gas works.

Iron and Steel mills.

Store, slate and marble works.

The following parts of factories:

Rooms used only for the storage of articles.

Rooms in which the walls or ceilings consist of galvanised iron glazed bricks, glass, slate, asbestos, bamboo, thatch.

Parts in which dense steam is continuously evolved in the process.

Parts in which pitch, tar or like material is manufactured or is used to a substantial extent, except in brush works.  
The parts of a glass factory known as the glass house.  
Rooms in which graphite is manufactured or is used to a substantial extent in any process.

Parts in which coal, coke, oxide of iron, ochre, lime or stone is crushed or ground.

Parts of walls, partitions, ceilings or tops of rooms which are at least 20 feet above the floor.

Ceilings or tops of rooms in print works, bleach works or dye works, with the exception of finishing rooms or warehouses.

Inside walls of oil mills below a height of 5 feet from the ground floor level.

Inside walls in tanneries below a height of 5 feet from the ground floor level where a wet process is carried on.

#### PART B.

Coach and motor body works.

Electric generating or transforming stations.

Engineering works.

Factories in which sugar is refined or manufactured.

Foundries other than foundries in which brass casting is carried on.

Gun Factories.

Ship building works.

Those parts of factories where unpainted or unvarnished wood is manufactured.

#### Register prescribed under sub-section (1) of section 11.

##### Notes

The register has been prescribed as required under clause (e) of sub-section (1) of section 11 of the Act. The register is meant for recording the requirements of clause (d).

16. *Record of white-washing, etc.*—The record of dates on which white-washing, colour-washing, varnishing, etc., are carried out shall be entered in a Register maintained in Form No. 7.

#### Rule prescribed under sub-section (2) of section 12.

##### Notes

Sub-section (1) of section 12 requires that—

(1) Effective arrangements shall be made in every factory for the disposal of wastes and effluents due to the manufacturing process carried on therein.

Sub-section (2) of section 12 requires the State Government to make rules for prescribing the arrangements to be made under sub-section (1) of requiring that the arrangements made in accordance with sub-section (1) shall be approved by such authority as may be prescribed. Rule 17 fulfils this requirement.

17. *Disposal of trade wastes and effluents.*—(1) In the case of a factory when the drainage system is proposed to be connected to the public sewerage system, prior approval of the arrangements made shall be obtained from the local authority.

(2) In the case of a factory situated in a place where no public sewerage system exists, prior approval of the arrangements made for the disposal of trade wastes, and effluents shall be obtained from the Public Health Officers or such authority as the State Government may appoint in this behalf.

**Rules 18 to 28 prescribed under sub-section (1) of section 15.**

**Notes**

The rules 18 to 28 have been framed in pursuance of the powers conferred by section 15 of the Act which reads as under:—

(1) In respect of all factories in which the humidity of the air is artificially increased the State Government may make rules—

(a) prescribing standards of humidification;

(b) regulating the methods used for artificially increasing the humidity of the air;

(c) directing prescribed tests for determining the humidity of the air to be correctly carried out and recorded;

(d) prescribing methods to be adopted for securing adequate ventilation and cooling of the air in the workrooms.

(2) In any factory in which the humidity of the air is artificially increased, the water used for the purpose shall be taken from a public supply or other source of drinking water, or shall be effectively purified before it is so used.

(3) If it appears to an Inspector that the water used in a factory for increasing humidity which is required to be effectively purified under sub-section (2) is not effectively purified he may serve on the manager of the factory an order in writing, specifying the measures which in his opinion should be adopted, and requiring them to be carried out before a specified date.

**18. When Artificial humidification not allowed.**—There shall be no artificial humidification in any room of a cotton spinning or weaving factory:—

(a) by the use of steam during any period when the dry bulb temperature of that room exceeds 85 degrees;

(b) at any time when the wet bulb reading of the hygrometer is higher than that specified in the following Schedule in relation to the dry bulb reading of the hygrometer at that time; or as regards a dry bulb reading intermediate between any two dry bulb readings indicated consecutively in the Schedule when the dry bulb reading does not exceed the wet bulb reading to the extent indicated in relation to the lower of these two dry bulb readings:—

**SCHEDULE.**

Dry bulb	Wet bulb	Dry bulb	Wet bulb	Dry bulb	Wet bulb
60.0	55.0	77.0	75.0	94.0	86.0
61.0	59.0	78.0	76.0	95.0	87.0
62.0	60.0	79.0	77.0	96.0	87.5
63.0	61.0	80.0	78.0	97.0	88.0
64.0	62.0	81.0	79.0	98.0	88.5
65.0	63.0	82.0	80.0	99.0	89.0
66.0	64.0	83.0	80.5	100.0	89.5

67.0	65.0	84.0	81.0	101.0	90.0
68.0	66.0	85.0	82.0	102.0	90.0
69.0	67.0	86.0	82.5	103.0	90.5
70.0	68.0	87.0	83.0	104.0	90.5
71.0	69.0	88.0	83.5	105.0	91.0
72.0	70.0	89.0	84.0	106.0	91.0
73.0	71.0	90.0	84.5	107.0	91.5
74.0	72.0	91.0	85.0	108.0	91.5
75.0	73.0	92.0	85.5	109.0	92.0
76.0	74.0	93.0	86.0	110.0	92.0

Provided, however, that clause (b) shall not apply when the difference between the wet bulb temperature as indicated by the hygrometer in the department concerned and the wet bulb temperature taken with a hygrometer outside in the shade is less than 3.5 degrees.

19. *Provision of Hygrometer.*—In all departments of cotton spinning and weaving mills where artificial humidification is adopted, hygrometer shall be provided and maintained in such positions as are approved by the Inspector. The number of hygrometers shall be regulated according to the following scale:—

(a) *Weaving department.*—One hygrometer for departments with less than 500 looms, and one additional hygrometer for every 500 or part of 500 looms in excess of 500.

(b) *Other departments.*—One hygrometer for each room of less than 3,00,000 cubic feet capacity and one extra hygrometer for each 2,00,000 cubic feet or part thereof, in excess of this.

(c) One additional hygrometer shall be provided and maintained outside each cotton spinning and weaving factory wherein artificial humidification is adopted, and in a position approved by the Inspector, for taking hygrometer shade readings.

20. *Exemption from maintenance of hygrometers.*—When the Inspector is satisfied that the limits of humidity allowed by the Schedule to rule 18 are never exceeded, he may, for any department other than the weaving department, grant exemption from the maintenance of the hygrometer. The Inspector shall record such exemption in writing.

21. *Copy of Schedule to rule 18 to be affixed near every hygrometer.*—A legible copy of the Schedule to rule 18 shall be affixed near each hygrometer.

22. *Temperature to be recorded at each hygrometer.*—At each hygrometer maintained in accordance with rule 19, correct wet and dry bulb temperatures shall be recorded thrice daily during each working day by competent persons nominated by the Manager and approved by the Inspector. The temperature shall be taken between 7 A. M. and 9 A. M. between 11 A. M. and 2 P. M. (but not in the

rest interval) and between 4 P. M. and 5.30 P. M. In exceptional circumstances, such additional readings and between such hours, as the Inspector may specify, shall be taken. The temperatures shall be entered in a Humidity Register in the prescribed Form No. 6, maintained in the factory. At the end of each month, the persons who have taken the readings shall sign the Register and certify the correctness of the entries. The Register shall always be available for inspection by the Inspector.

*23. Specifications of hygrometer.*—(1) Each hygrometer shall comprise two mercurial thermometers of wet bulb and dry bulb of similar construction, and equal in dimensions, scale and divisions of scale. They shall be mounted on a frame with a suitable reservoir containing water.

(2) The wet bulb shall be closely covered with a single layer of muslin, kept wet by means of a wick attached to it and dropping into the water in the reservoir. The muslin, covering and the wick shall be suitable for the purpose, clean and free from size or grease.

(3) No part of the wet bulb shall be within 3 inches from the dry bulb or less than 1 inch from the surface of the water in the reservoir and the water reservoir shall be below it, on the side of it away from the dry bulb.

(4) The bulb shall be spherical and of suitable dimensions and shall be freely exposed on all sides to the air of the room.

(5) The bores of the stems shall be such that the position of the top of the mercury column shall be readily distinguishable at a distance of 2 feet.

(6) Each thermometer shall be graduated so that accurate readings may be taken between 50 and 120 degrees.

(7) Every degree from 50 degrees upto 120 degrees shall be clearly marked by horizontal lines on the stem, each fifth and tenth degree shall be marked by longer marks than the intermediate degrees and the temperature marked opposite each tenth degree, i. e. 50, 60, 70, 80, 90, 100, 110 and 120.

(8) The markings as above shall be accurate, that is to say, at no temperature between 50 and 120 degrees shall the indicated readings be in error by more than two tenths of a degree.

(9) A distinctive number shall be indelibly marked upon the thermometer.

(10) The accuracy of each thermometer shall be certified by the National Physical Laboratory, London, or some competent authority appointed by the Chief Inspector and such certificate shall be attached to the Humidity Register.

*24. Thermometers to be maintained in efficient order.*—Each thermometer shall be maintained at all times during the period of employment in efficient working order, so as to give accurate indications and in particular—

(a) the wick and the muslin covering of the wet bulb shall be renewed once a week;

(b) the reservoir shall be filled with water which shall be completely renewed once a day. The Chief Inspector may direct the use of distilled water or pure rain water in any particular mill or mills in certain localities.

(c) no water shall be applied directly to the wick or covering during the period of employment.

25. *An inaccurate thermometer not to be used without, fresh certificate.*—If an Inspector gives notice in writing that a thermometer is not accurate it shall not, after one month from the date of such notice, be deemed to be accurate unless and until it has been re-examined as prescribed and a fresh certificate obtained which certificate shall be kept attached to the Humidity Register.

26. *Hygrometer not to be affixed to wall, etc. unless protected by wood.*—(1) No hygrometer shall be affixed to a wall, pillar, or other surface unless protected therefrom by wood or other non-conducting material at least half an inch in thickness and distant at least one inch from the bulb of each thermometer.

(2) No hygrometer shall be fixed at a height of more than 5 feet 6 inches from the floor to the top of thermometer stem or in the Direct draughts from a fan, window, or ventilating opening.

27. *No reading to be taken within 15 minutes of renewal of water.*—No reading shall be taken for record on any hygrometer within 15 minutes of the renewal of water in the reservoir.

28. *How to introduce steam for humidification.*—In any room in which steam pipes are used for the introduction of steam for the purpose of artificial humidification of the air the following provisions shall apply—

(a) The diameter of such pipes shall not exceed two inches and in the case of pipes installed after 1st day of January, 1950 the diameter shall not exceed one inch;

(b) Such pipes shall be as short as is reasonably practicable;

(c) All hangers supporting such pipes shall be separated from the bare pipes by an efficient insulator not less than half an inch in thickness;

(d) No uncovered jet from such pipe shall project more than  $4\frac{1}{2}$  inches beyond the outer surface of any cover;

(e) The steam pressure shall be as low as practicable and shall not exceed 70 lb per square inch;

(f) The pipe employed for the introduction of steam into the air in a department shall be effectively covered with such non-conducting material as may be approved by the Inspector in order to minimise the amount of heat radiated by them into the department.

## Rules 29 to 33 prescribed under sub-section (4) of section 17.

*Notes*

The rules 29 to 33 are meant for the purposes of section 17 which reads as under :—

(1) In every part of a factory where workers are working or passing there shall be provided and maintained sufficient and suitable lighting natural or artificial, or both.

(2) In every factory all glazed windows and skylights used for the lighting of the workrooms shall be kept clean on both the inner and outer surfaces and, so far as compliance with the provisions of any rules made under sub sect'on (3) of section 13 will allow, free from obstruction.

(3) In every factory effective provision shall, so far as is practicable, be made for the prevention of—

(a) glare, either directly from a source of light or by reflection from a smooth or polished surface;

(b) the formation of shadows to such an extent as is to cause eyestrain or the risk of accident to any worker.

(4) The State Government may prescribe standards of sufficient and suitable lighting for factories or for any class or description of factories or for any manufacturing process.

*29. Artificial Lighting—application and commencement.—*

(1) Subject as in these rules provided, rules 29 to 33 shall apply to factories in which persons are being regularly employed in a manufacturing process or processes for more than 48 hours a week, or in shifts, provided that nothing in these Rules shall be deemed to require the provision of lighting of a specified standard in any building or structure so constructed that, in the opinion of the Chief Inspector, it would not be reasonably practicable to comply with such requirement.

(2) Rules 29 to 33 shall come into force, in respect of any class or description of factories on such dates as the State Government may, by notification in the official gazette, appoint in this behalf.

*30. Lighting of interior parts.—*(1) The general illumination over those interior parts of a factory where persons are regularly employed shall be not less than 3 foot candles measured in the horizontal plane at a level of 3 feet above the floor:

Provided that in any such parts in which the mounting height of the light source for general illumination necessarily exceeds 25 feet measured from the floor or where the structure of the room or the position or construction of the fixed machinery or plant prevents the uniform attainment of this standard, the general illumination at the said level shall be not less than 1 foot candle and where work is actually being done the illumination shall be not less than 3 foot candles.

(2) The illumination over all other interior parts of the factory over which persons employed pass shall, when and where person is passing, be not less than 0.5 foot candles at floor level.

(3) Artificial lighting in accordance, with the following standards shall be provided and used in the interior of cotton ginning factories at times when artificial lighting is necessary and is ordinarily used—

(i) by means of electricity, to the satisfaction of the Inspector, one lamp per six gins, each lamp not less than 25 candle power, or

(ii) by candles placed in glass lanterns of a pattern approved by the Inspector not less than one such lantern for every two gins.

(4) The standard specified in this rule shall be without prejudice to the provision of any additional illumination required to render the lighting sufficient and suitable for the nature of the work.

31. *Prevention of glare.*--(1) Where any source of artificial light in the factory is less than 16 feet above floor level, no part of the light source or of the lighting fitting having a brightness greater than 10 candles per square inch shall be visible to persons whilst normally employed within 100 feet of the source, except where the angle of elevation from the eye to the source or part of the fitting as the case may be exceeds 20°.

(2) Any local light, that is to say, an artificial light designed to illuminate particularly the area or part of the area of work of a single operative or small group of operatives working near each other, shall be provided with a suitable shade of opaque material to prevent glare or with other effective means by which the light source is completely screened from the eyes of every person employed at a normal working place, or shall be so placed that no such person is exposed to glare therefrom.

32. *Power to Chief Inspector to exempt.*--Where the Chief Inspector is satisfied in respect of any particular factory or part thereof or in respect of any description of workroom or process that any requirement of rules 29 to 31 is inappropriate or is not reasonably practicable, he may by order in writing exempt the factory or part thereof, or description of workroom or process from such requirement to such extent and subject to such conditions as he may specify.

33. *Exemption from rule 30*--(1) Nothing in rule 30 shall apply to the parts of factories respectively specified in Part I of the Schedule annexed hereto.

(2) Nothing in sub-rule (1) of rule 30 shall apply to the factories or parts of factories respectively specified in Part II of the said Schedule.

## SCHEDULE.

### PART I.

Parts of factories in which light sensitive photographic materials are made or used in an exposed condition.

### PART II.

Cement works.

Works for the crushing and grinding of limestone.

Gas works.

Coke oven works.

Electrical stations.

Flour mills.

Malting and breweries.

Parts of factories in which the following process are carried on.

Concrete or artificial stone making.

Conversion of iron into steel.

Smelting of iron ore.

Iron or steel rolling.

Hot rolling or forging, tempering or annealing of metals.

Glass blowing and other working in the molten glass.

Tar distilling.

Petroleum refining and blending.

**Rules 34 to 39 prescribed under sub-section (4) of section 18.**

**Notes**

The rules 34 to 39 have been framed for putting into effect the requirements of Section 18 of the Act which read as under:—

(1) In every factory effective arrangements shall be made to provide and maintain at suitable points conveniently situated for all workers employed therein a sufficient supply of wholesome drinking water.

(2) All such points shall be legibly marked "drinking water" in a language understood by a majority of the workers employed in the factory and no such point shall be situated within twenty feet of any washing place, urinal or latrine unless a shorter distance is approved in writing by the Chief Inspector.

(3) In every factory wherein more than two hundred and fifty workers are ordinarily employed, provision shall be made for cooling drinking water during hot weather by effective means and for distribution thereof.

(4) In respect of all factories or any class or description of factories the State Government may make rules for securing compliance with the provisions of sub-section (1), (2) and (3) and for the examination by prescribed authorities of the supply and distribution of drinking water in factories.

**34. Quantity of drinking water.**—The quantity of drinking water to be provided for the workers in every factory shall be at least as many gallons a day as there are workers employed in the factory and such drinking water shall be readily available at all times during working hours.

**35. Source of supply.**—The water provided for drinking shall be supplied—

(a) from the taps connected with a public water supply system, or

(b) from any other source approved in writing by the Health Officer.

**36. Storage of water.**—If drinking water is not supplied from taps connected with a public water supply system it shall be kept in suitable vessels and renewed at least daily. All practicable steps shall be taken to preserve the water and vessels from contamination and to keep the vessels scrupulously clean.

**37. Cleanliness of well or reservoir.**—(1) Drinking Water shall not be supplied from any open well or reservoir unless it is so constructed, situated, protected and maintained as to be free from the possibility of pollution by chemical, or bacterial and extraneous impurities.

(2) Where drinking water is supplied from such well or reservoir the water in it shall be sterilised once a week or more frequently if the Inspector by written order so requires and the date on which sterilising is carried out shall be recorded:

Provided that this requirement shall not apply to any such well or reservoir if the water therein is filtered and treated to the satisfaction of the Health Officer before it is supplied for consumption.

38. *Report from Health Officer.*—The Inspector may be order in writing direct the Manager to obtain, at such time or at such intervals as he may direct, a report from the Health Officer as to the fitness for human consumption of the water supplied to the workers and in every case to submit to the Inspector a copy of such report as soon as it is received from the Health Officer.

39. *Cooling of water.*—In every factory where in more than two hundred and fifty workers are ordinarily employed—

(a) the drinking water supplied to the workers shall from the 1st March to 31st October in every year, be cooled by ice or other effective method:

Provided that if ice is placed in the drinking water, the ice shall be clean and wholesome and shall be obtained only from a source approved in writing by the Health Officer;

(b) the cooled drinking water shall be supplied in every canteen, lunch room and rest room and also at conveniently accessible points throughout the factory which for the purpose of these Rules shall be called "Water Centres";

(c) the water centres shall be sheltered from the weather and adequately drained;

(d) the number of water centres to be provided shall be one "centre" for every 150 persons employed at any one time in the factory:

Provided that in the case of a factory where the number of persons employed exceed 500 it shall be sufficient if there is one such "centre" as aforesaid for every 150 persons up to the first 500 and one for every 500 persons thereafter.

(e) every "water centre" shall be maintained in a clean and orderly condition;

(f) every water centre shall be in charge of a suitable person who shall distribute the water. Such person shall be provided with clean clothes while on duty.

Clause (f) shall not apply to any factory in which suitable mechanically operated drinking water refrigerating units are installed to the satisfaction of the Chief Inspector.

Rules 40 to 49 prescribed under sub-section (3) of section 19  
Notes

Sub-section (1) of section 19 requires the provision of latrines and urinals in every factory. Sub-section (2) of section 19 provides for the types thereof sub-section (3) of this section provides—

(3) The State Government may prescribe the number of latrines and urinals to be provided in any factory in proportion to the numbers of male and female workers ordinarily employed therein, and provide for such further matters in respect of sanitation in factories, including the obligation of workers in this regard, as it considers necessary in the interest of the health of the workers employed therein.

Rules 40 to 49 meet the requirements of this section.

**40. Latrine Accommodation.**—Latrine accommodation shall be provided in every factory on the following scale:—

(a) where females are employed, there shall be at least one latrine for every 25 females;

(b) where males are employed, there shall be at least one latrine for every 25 males; provided that, where the number of males employed exceeds 100, it shall be sufficient if there is one latrine for every 25 males up to the first 100 and one for every 50 thereafter.

In calculating the number of latrines required under this Rule any odd number of workers less than 25 or 50, as the case may be shall be reckoned as 25 or 50 and the number of workers to be considered shall be the maximum number employed at any time during the day.

**41. Latrines to conform to public health requirements.**—Latrines, other than those connected with an efficient water borne sewage system, shall comply with the requirements of the Public Health Authorities.

**42. Privacy of latrines.**—Every latrine shall be under cover and so partitioned off as to secure privacy, and shall have a proper door and fastenings.

**43. Sign boards to be displayed.**—Where workers of both sexes are employed there shall be displayed outside each latrine block a notice in the language understood by the majority of the workers "For Men Only" or "For Women Only" as the case may be. The notice shall also bear the figure of a man or a woman as the case may be.

**44. Urinal accommodation.**—Urinal accommodation shall be provided for the use of male workers and shall not be less than 2 feet in length for every 50 males; provided that where the number of males employed exceeds 500, it shall be sufficient if there is one urinal for every 50 males up to the first 500 employed, and one for every 100 thereafter.

In caculating the urinal accommodation required under this Rule any odd number of workers less than 50 or 100, as the case may be, shall be reckoned as 50 or 100.

**45. Urinals to conform to public health requirements.**—Urinals, other than those connected with an efficient water-borne sewage system, and urinals in a factory wherein more than two hundred and fifty workers are ordinarily employed shall comply with the requirements of the Public Health Authorities.

**46. Certain latrines and urinals to be connected to sewerage system.**— When any general system of underground sewerage with

an assured water supply for any particular locality is provided in a municipality, all latrines and urinals of a factory situated in such locality shall, if the factory is situated within 100 feet of an existing sewer, be connected with that sewerage system.

47. *White-washing, colour-washing of latrines and urinals.*—The walls, ceiling and partitions of every latrine and urinal shall be white washed or colour-washed and the white-washing or colour-washing shall be repeated at least once in every period of four months. The dates on which the white-washing or colour-washing is carried out shall be entered in the prescribed Register (Form No. 7):

Provided that this Rule shall not apply to latrines and urinals, the walls, ceilings or partitions of which are laid in glazed tiles or otherwise finished to provide a smooth, polished impervious surface and that they are washed with suitable detergents and disinfectants at least once in every period of four months

48. *Construction and maintenance of drains.*—All drains carrying waste or sullage water shall be constructed in masonry or other impermeable material and shall be regularly flushed and the effluent disposed of by connecting such drains with a suitable drainage line:

Provided that, where there is no such drainage line, the effluent shall be deodorized and rendered innocuous and then disposed of in a suitable manner to the satisfaction of the Health Officer.

49. *Water taps in latrines.*—(1) Where piped water supply is available a sufficient number of water taps, conveniently accessible shall be provided in or near such latrine accommodation.

(2) If the piped water supply is not available, sufficient quantity of water shall be kept stored in suitable receptacles near the latrines.

#### **Rules 50 to 52 prescribed under sub-section (2) of section 20.**

*Notes*

Sub-section (1) of section 20 requires the provision of spittoons in every factory the rules 50, 51 and 52 prescribe the requirements of sub-section (2) of section 20 which reads as under :—

(2) The State Government may make rules prescribing the type and the number of spittoons to be provided and their location in any factory and provide for such further matter relating to their maintenance in a clean and hygienic condition.

50. *Number of location of spittoons.*—The number and location of the spittoons to be provided shall be to the satisfaction of the Inspector.

51. *Type of spittoons.*—The spittoons shall be of either of the following types:—

(a) a galvanised iron container with a conical funnel-shaped cover. A layer of suitable disinfectant liquid shall always be maintained in the container;

(b) a container filled with dry, clean sand, and covered with a layer of bleaching powder;

(c) any other type approved by the Chief Inspector.

52 *Cleaning of spittoons.*—The spittoon mentioned in Clause (a) of rule 51 shall be emptied, cleaned and disinfected at least once every day; and the spittoon mentioned in Clause (b) of rule 51 shall be cleaned by scrapping out the top layer of sand as often as necessary or at least once every day.

## CHAPTER IV.

### *Safety.*

Further precautions prescribed under sub section (2) of section 21.

#### *Notes*

Sub-section (1) of section 21 requires the fencing of machinery and other provisions for safety in every factory, sub-section (2) of section 21 provides that-

(2) The State Government may by rules prescribe such further precautions as it may consider necessary in respect of any particular machinery or part thereof, or exempt, subject to such condition as may be prescribed, for securing the safety of the workers, any particular machinery or part thereof from the provisions of this section.

The rule 53 prescribes these requirements.

53. *Further safety precautions.*—(1) Without prejudice to the provisions of sub-section (1) of section 21 in regard to the fencing of machines, the further precautions specified in the Schedules annexed hereto shall apply to the machines noted in each Schedule.

(2) The Rule shall come into force, in respect of any class or description of factories, where machines noted in the said Schedules are in use, on such dates as the State Government may, by notification in the official gazette, appoint in this behalf.

### SCHEDULE I.

#### (Cotton Textiles)

1. *Cotton Openers, Scutchers, Combine Openers and Scutchers, Scutcher and Lap Machines, Hard Waste Breakers, etc*—  
(1) All Cotton Openers, Scutchers, Combined Openers and Scutchers, Scutcher and Lap Machines, Hard Waste Breakers and similar machines shall be driven by separate motors or from counter shafts provided with fast and loose pulleys and efficient belt shifting devices

(2) In all Openers, Combined Openers and Scutchers, Scutchers, Scutcher-lap machines, Hard Waste Breakers and similar machines the beater covers and doors which give access to any dangerous part of the machine shall be fitted with effective interlocking arrangements which shall prevent—

(a) the covers and doors being opened while the machine is in motion; and

(b) the machine being re-started until the covers and doors are closed:

Provided that in respect of doors opening, other than dirt doors or desk doors such openings shall be so fenced as to prevent access to any dangerous parts of the machine if effective inter locking arrangement is not provided.

(3) In all Openers, Combined Openers and Scutothers, Scutothers lap machines, Hard Waste Breakers and similar machines, the openings giving access to the dust chamber shall be provided with permanently fixed fencing, which shall, while admitting light, yet prevent contact between any portion of a worker's body and the heater grid bars.

2. *Combined Openers and Scutchers, Scutchers, Scutchers-lap Silver lap, Lap Machines, Derby Doublers and Ribbon Machines.*—(1) The lap forming rollers shall be fitted with a guard or cover which shall prevent access to the intake of the lap roller and fluted roller as long as the weighted rack is down; or

(2) The guard or cover shall be so locked that it cannot be raised until the machine is stopped and the machine cannot be started until the guard or cover is closed.

3. *Carding Machines.*—All cylinder doors shall be secured by an automatic locking device which shall prevent the door being opened until the cylinder has ceased to revolve and shall render it impossible to restart the machine until the door has been closed.

4. *Speed Frames.*—Headstocks shall be fitted with automatic locking arrangements which shall prevent the doors giving access to jack box wheels being opened while the machinery is in motion and shall render it impossible to restart the machine until the doors have been closed.

5. *Self-acting Mules.*—The drive shall be from countershafts which shall be provided with fast and loose pulleys and efficient belt shifting devices.

6. *Calendering Machines etc.*—In respect of calendering machines, mangles and similar machines, all such machines shall be provided with an efficient "nip" guard along the whole length on the intake side of each pair of bowls and similar parts, which shall be so fitted and maintained, whilst the rollers of bowls are in motion, as to prevent access to the point of contact of the rollers or bowls.

## SCHEDULE II.

### (Cotton Ginning and Pressing).

1. *Line Shaft.*—The line shaft or second motion in cotton ginning factories, when below floor level, shall be completely enclosed by continuous wall or unclimbable fencing with only so many openings as are necessary for access to the shaft for removing cotton seed, cleaning and oiling; and such openings shall be provided with gates or doors which shall be kept closed and locked.

2. *Gin-House.*—No person other than the gin feeder shall be permitted to clean cotton on or in the proximity of a gin roller where the machine of which it is a part is in motion under power.

3. *Press-House.*—No person working on an opener in pressing factory shall be permitted to feed the machine by means of his legs. All such workers shall wear tight clothings.

4. *Cotton Opener.*—In all types of openers in use in pressing factories the slope of the feed table shall not be more than one in ten and in no case shall it consist of a smooth metal plate.

The beater or toothed rollers of cotton openers in pressing factories shall be guarded by securely fixing across the feed end of the machine a strong guard of metal or wood with sides closed, not more than 12 inches above the latrice and not less than twenty inches in width so arranged that in no circumstances can a man's hand come in contact with the beaters or rollers.

### SCHEDULE III

#### (Wood-Working Machinery).

1. *Definitions.*—For the purposes of this Schedule:—

(a) Wood-Working machine means a circular saw, band saw, planing machine, chain mortising machine or vertical spindle moulding machine operating on wood or cork;

(b) Circular saw means a circular saw working in a bench (including a rack bench) but does not include a pendulum or similar saw which is moved towards the wood for the purpose of cutting operation;

(c) Band saw means a band saw, the cutting portion of which runs in a vertical direction but does not include a log saw or band re-sawing machine;

(d) Planing machine means a machine for overhand planing or for thicknessing or for both operations.

2. *Stopping and Starting device.*—An efficient stopping and starting device shall be provided on every wood-working machine. The control of this device shall be in such a position as to be readily and conveniently operated by the person in charge of the machine.

3. *Space around machines.*—The space surrounding every wood-working machine in motion shall be kept free from obstruction.

4. *Floors.*—The floor surrounding every wood-working machine shall be maintained in good and level condition, and shall not be allowed to become slippery, and as far as practicable shall be kept free from chips or other loose material.

5. *Training and supervision.*—(1) No person shall be employed at a wood-working machine unless he has been sufficiently trained to work that class of machine, or unless he works under the adequate supervision of a person who has a thorough knowledge of the working of the machine.

(2) A person who is being trained to work a wood-working machine shall be fully and carefully instructed as to the dangers of the machine and the precautions to be observed to secure safe working of the machine.

6. *Circular saws.*—Every circular saw shall be fenced as follows:—

(a) Behind and in direct line with the saw there shall be a riving knife, which shall have a smooth surface, shall be

strong, rigid and easily adjustable, and shall also conform to the following conditions:—

(i) The edge of the knife nearer the saw shall form an arc of a circle having a radius not exceeding the radius of the largest saw used on the bench;

(ii) The knife shall be maintained as closed as practicable to the saw, having regard to the nature of the work being done at the time, and at the level of the bench table the distance between the front edge of the knife and the teeth of the saw shall not exceed half an inch;

(iii) For a saw of a diameter of less than 24 inches, the knife shall extend upwards from the bench table to within one inch of the top of the saw, and for a saw of a diameter of 24 inches or over shall extend upwards from the bench table to a height of at least nine inches;

(b) The top of the saw shall be covered by a strong and easily adjustable guard, with a flange at the side of the saw farthest from the fence. The guard shall be kept so adjusted that the side flange shall extend below the roots of the teeth of the saw. The guard shall extend from the top of the riving knife to a point as low as practicable at the cutting edge of the saw.

(c) The part of the saw below the bench table shall be protected by two plates of metal or other suitable material one on each side of the saw; such plates shall not be more than six inches apart, and shall extend from the axis of the saw outwards to a distance of not less than two inches beyond the teeth of the saw. Metal plates if not beaded, shall be of a thickness of at least  $1/10$  inch, or if beaded be of a thickness of at least  $1/20$  inch.

7. *Push sticks.*—A push stick or other suitable appliance shall be provided for use at every circular saw and at every vertical spindle moulding machine to enable the work to be done without unnecessary risk.

8. *Band saws*—Every band saw shall be guarded as follows:—

(a) Both sides of the bottom pulley shall be completely encased by sheet or expanded metal or other suitable material;

(b) The front of the top pulley shall be covered with sheet or expanded metal or other suitable material.

(c) All portions of the blade shall be enclosed or otherwise securely guarded except the portion of the blade between the bench table and the top guide.

9. *Planing Machines.*—(1) A planing machine (other than a planing machine which is mechanically fed) shall not be used for overhand planing unless it is fitted with a cylindrical cutter block.

(2) Every planing machine used for overhand planing shall be provided with a "bridge" guard capable of covering the full length

and breadth of the cutting slot in the bench, and so constructed as to be easily adjusted both in a vertical and horizontal direction.

(3) The feed roller of every planing machine used for thicknessing, except the combined machine for overhand planing and thicknessing, shall be provided with an efficient guard.

10. *Vertical spindle moulding machine*:—(1) The cutter of every vertical spindle moulding machine shall be guarded by the most efficient guard having regard to the nature of the work being performed.

(2) The wood being moulded at a vertical spindle moulding machine shall, if practicable be held in a jig or holder of such construction as to reduce as far as possible, the risk of accident to the worker.

11. *Chain mortising machines*:—The chain of every chain mortising machine shall be provided with a guard which shall enclose the cutters as far as practicable.

12. *Adjustment and maintenance of guards*.—The guards and other appliances required under this Schedule shall be—

- (a) maintained in an efficient state;
- (b) constantly kept in position while the machinery is in motion; and
- (c) so adjusted as to enable the work to be done without unnecessary risk.

13. *Exemptions*.—Paragraphs 6, 8, 9 and 10 shall not apply to any wood-working machine in respect of which it can be proved that other safeguards are provided, maintained and used which render the machine as safe as it would be if guarded in the manner prescribed in this Schedule.

#### SCHEDULE IV.

##### (Rubber Mill).

1. *Installation of machines*.—Mills for breaking down cracking, graving, mixing, refining and warming rubber or rubber compounds shall be so installed that the top of the front roll is not less than forty-six inches above the floor or working level: Provided that in existing installations where the top of the front roll is below this height a strong rigid distance bar guard shall be fitted across the front of the machine in such position that the operator cannot reach the nip of the rolls.

2. *Safety Devices*.—Rubber mills shall be equipped with—

(a) hoppers so constructed or guarded that it is impossible for the operators to come into contact in any manner the nip of the rolls;

(b) horizontal safety-trip rods or tight wire cables across both front and rear which will, when pushed or pulled, operate instantly to disconnect the power and apply the brakes, or to reverse the rolls.

(2) Safety-trip rods or tight wire cables on rubber mills

shall extend across the entire length of the face of the rolls and shall be located not more than sixty-nine inches above the floor or working level.

(3) Safety-trip rods and tight wire cables on all rubber mills shall be examined and tested daily in the presence of the Manager or other responsible person and if any defect is disclosed by such examination and test the mill shall not be used until such defect has been remedied.

**Rules prescribed under sub-section (1) of section 22**

54. *Register of specially trained adult workers.*—Register of workers attending to machinery as provided in sub-section (1) of section 22 shall be in form No. 8.

*Notes*

Section 22 contains provisions for safety of the workers engaged in examination of machinery on or near machinery in motion. It requires the maintenance of theregister for such workers. Rule 54 prescribes this register.

**Rules prescribed under section 41**

55. *Belts etc. to be regularly examined.*—All belts shall be regularly examined to ensure the joints are safe and the belts at proper tension.

*Notes*

This rule has been framed in pursuance of section 41 of the Act which reads as under:—

The State Government may make rules requiring the provision in any factory or in any class or description of factories of such further devices for securing the safety of persons employed therein as it may deem necessary.

**Rule prescribed under sub-section (2) of section 23**

56. *Employment of young persons on dangerous machines.*—The following machines shall be deemed to be of such dangerous character that young persons shall not work at them unless the provisions of section 23 (1) are complied with:—

Power presses other than hydraulic presses;  
Milling machines used in the metal trades;  
Guillotine machines,  
Circular saws;  
Platen printing machines.

*Notes*

Sub section (1) of Section 23 prohibits employment of young persons on dangerous machines. Sub-section (2) of section 23 requires the State Government to prescribe machines which in its opinion are of such a dangerous character that young persons ought not to work on them. Rule 56 prescribes these machines.

**Exemption under sub-section (4) of section 28.**

57. *Exemption of certain hoists and lifts.*—(1) A register shall be opened with the following columns to record particulars of examination of hoists and lifts:—

- (1) Date of examination.
- (2) No. of hoists and lifts if more than one.
- (3) The details of tests made.
- (4) Results of examination.
- (5) Signature of examiner.

## (6) Designation and qualification of the examiner.

(2) In pursuance of the provisions of sub-section (4) of section 28, in respect of any class or description of hoist or lift specified in the first column of the following Schedule, the requirements of the section 28 specified in the second column of the said Schedule and set opposite to that class or description of hoist or lift shall not apply.

## SCHEDULE.

Class or description of hoist or lift. (1)	Requirements which shall not apply. (2)
Hoists or lifts mainly used for raising materials for charging blast furnaces or lime kilns.	Sub-section 1 (b) in so far as it requires a gate at the bottom landing sub-section 1 (d) : sub-section 1 (e).
Hoists not connected with mechanical power and which are not used for carrying persons.	Sub-section 1 (b) in so far as it requires the hoistway or liftway enclosure to be so constructed as to prevent any person or thing from being trapped between any part of the hoist or lift and any fixed structure or moving part; sub-section 1 (e),

## Notes

Section 28 of the Act requires the provisions of Hoists and Lifts in every factory. Sub-sections (1) and (2) describe the requirements for such Hoists and Lifts. Sub-section (4) authorises the State Government to exempt any Hoist or Lift from the requirements of sub-sections (1) or (2). Rule 57 provides for such exemptions.

## Rule prescribed under sub-section (2) of section 37

58. *Pressure plant.*—(1) Every part of the plant or machinery used in a manufacturing process, and operated at a pressure greater than atmospheric pressure, shall be—

(a) of good construction, sound material, adequate strength, and free from any patent defect;

(b) properly maintained;

(c) thoroughly examined by a competent person at least once in every period of 12 months, and also after any extensive repairs, before being replaced in service; but if the part is so constructed that the internal surface cannot be thoroughly examined, a suitable hydraulic test shall be carried out in lieu of such examination;

(d) fitted with (i) a suitable safety valve or other effective method of ensuring that the maximum permissible working pressure of the part shall not be exceeded; (ii) a correct pressure gauge easily visible, which shall indicate the pressure in pounds per square inch, and have marked upon it in a distinct-

tive colour the maximum permissible working pressure; (iii) a suitable stop valve or valves by which the part may be isolated from the remainder of the plant or machinery:

Provided that it shall be sufficient for the purposes of clause (d) if the safety valve, pressure gauge and stop valve are mounted on a pipe line immediately adjacent to the part and where there is a range of two or more similar parts in a plant or machine only one set of such mountings need be fitted.

(2) Every vessel or apparatus other than part of a prime mover operated at a pressure greater than atmospheric pressure, and not so constructed as to withstand with safety the maximum permissible working pressure of the boiler, or the maximum pressure which can be obtained in the pipe connecting the vessel or apparatus with any other source of supply, shall be fitted with a suitable reducing valve or other suitable automatic appliance to prevent the safe working pressure being exceeded.

(3) A report of the result of every examination made in accordance with the foregoing sub-rule shall be completed in the prescribed Form No. 9 and signed by the person making the examination, and shall be kept available for perusal by an Inspector at any time while the part is in service.

(4) No such part which has previously been used shall be taken into use in any factory for the first time in the factory until it has been examined and reported on in accordance with the foregoing sub-rules and no new part shall be taken into use unless there has been obtained from the maker of the part, or from a competent person, a certificate specifying the maximum permissible working pressure thereof, and stating the nature of the tests to which the part and its fittings (if any) have been subjected, and the certificate is kept available for perusal by an Inspector, and the part is so marked as to enable it to be identified as the part to which the certificate relates.

(5) Where the report of any examination under this Rule specifies conditions for securing the safe working of a part, the part shall not be used except in accordance with those conditions.

(6) The competent person making the report of any examination under this Rule, shall within seven days of the completion of the examination, send to the Inspector a copy of the report in every case where the maximum permissible working pressure is reduced, or the examination shows that the part cannot continue to be used with safety unless certain repairs are carried out immediately or within a specified time.

(7) The requirements of this Rule shall be in addition to and not in derogation of the requirements of any other Act, Rules or Regulations,

(8) Nothing in this Rule shall apply to-

(a) any plant which comes within the scope of the Indian Boilers Act,

(b) metal bottles or cylinders used for the storage or transport of gases under pressure.

*Notes*

Rule 58 has been framed for carrying out the purposes of section 31 which reads as under:—

(1) If in any factory any part of the plant or machinery used in a manufacturing process is operated at a pressure above atmospheric pressure effective measures shall be taken to ensure that the safe working pressure of such part is not exceeded.

(2) The State Government may make rules providing for the examination and testing of any plant or machinery such as is referred to in sub-section (1), and prescribing such other safety measures in relation thereto as may in its opinion be necessary in any factory or class or description of factories.

**Rule prescribed under sub-section (2) of section 34**

59. *Excessive weights.*—(1) No woman or young person shall unaided by another person, lift, carry or move by hand or on head, any material, article, tool or appliance exceeding the maximum limit in weight set out in the following Schedule:—

**SCHEDULE.**

Persons	Maximum weight of material article, tool or appliance.
(a) Adult female	65 lbs.
(b) Adolescent male	65 lbs.
(c) Adolescent female	45 lbs.
(d) Male child	35 lbs.
(e) Female child	30 lbs.

(2) No woman or young person shall engage, in conjunction with others, in lifting, carrying or moving by hand or on head, any material, article, tool or appliance, if the weight thereof exceeds the lowest weight fixed by the Schedule to sub-rule (1) for any of the persons engaged, multiplied by the number of the persons engaged.

*Notes*

This rule has been framed for the purposes of section 34 which reads as under:—

(1) No person shall be employed in any factory to lift, carry or move any load so heavy as to be likely to cause him injury.

(2) The State Government may make rules prescribing the maximum weights which may be lifted, carried or moved by adult men, adult women, adolescents and children employed in factories or in any class or description of factories or in carrying on any specified process.

**Rule prescribed under section 35.**

*Notes*

Rule 60 has been framed in pursuance of section 35 of the Act which reads as under:—

In respect of any such manufacturing process carried on in any factory as may be prescribed, being a process which involves—

(a) risk of injury to the eyes from particles or fragments thrown off in the course of the process, or

(b) risk to the eyes by reason of exposure to excessive light,—

the State Government may by rules require that effective screens or suitable goggles

shall be provided for the protection of persons employed on, or in the immediate vicinity of, the process,

60. *Protection of Eyes*—Effective screens or suitable goggles shall be provided for the protection of persons employed in or in the immediate vicinity of the following processes:—

(a) The processes specified in Schedule I annexed hereto, being processes which involve risk of injury to the eyes from particles or fragments thrown off in the course of the process.

(b) The processes specified in Schedule II annexed hereto, being processes which involve risk of injury to the eyes by reason of exposure to excessive light.

#### SCHEDULE I.

Dry grinding of metals or articles of metal applied by hand to a revolving wheel or disc driven by mechanical power. Turning (external or internal) of non-ferrous metals or of cast iron, or articles of such metals or such iron, where the work is done dry, other than precision turning where the use of goggles or a screen would seriously interfere with the work, or turning by means of hand tools.

Welding or cutting of metals by means of an electric oxy-acetylene or similar process.

The following process when carried on by means of hand tools or other portable tools:—

Fettling of material involving the removal of metal.

Cutting out or cutting off cold rivets or bolts from boilers or other plant, or from ships.

Chipping or scaling of boilers ship or plates.

Breaking or dressing of concrete or slag.

#### SCHEDULE II.

Welding or cutting of metals by means of an electrical oxy-acetylene or similar process.

All processes in connection with glass melting furnaces.

Rule prescribed under sub-section (6) of section 36

61. *Minimum dimensions of manholes*—Every chamber, tank, vat, pipes, flue or other confined space, which persons may have to enter and which may contain dangerous fumes to such an extent as to involve risk of the persons being overcome thereby, shall unless there is other effective means of egress, be provided with a manhole which may be rectangular, oval or circular in shape, and which shall—

(a) in the case of rectangular or oval shape, be not less than 16 inches long and 12 inches wide;

(b) in the case of a circular shape, be not less than 16 inches in diameter.

#### Notes.

Section 36 of the Act provides for precautions against dangerous fumes. sub-section (1) requires the provision of a man-hole of adequate size or other effective means of egress. Sub-section (6) provides that—

(6) The State Government may make rules prescribing the minimum dimensions of the manholes referred to in sub-section (1), and may by order in writing

exempt, subject to such conditions as it may think fit to impose, any factory or class or description of factories from compliance with any of the provisions of this section.

This rule meets the requirements of sub-section (6).

#### Exemptions under sub-section (5) of section 37.

62. *Exemptions.*—The requirements of sub-section (4) of section 37 shall not apply to the following processes carried on in any factory:—

(a) The operation of repairing a water-sealed gas-holder by the electric welding process, subject to the following conditions:—

(i) The gasholder shall contain only the following gases separately or mixed at a pressure greater than atmospheric pressure, namely, town gas, coke-oven gas, producer gas, blast furnace gas, or gases, other than air, used in their manufacture:

Provided that this exemption shall not apply to any gasholder containing acetylene or mixture of gases to which acetylene has been added intentionally;

(ii) Welding shall only be done by the electric welding process and shall be carried out by experienced operatives under the constant supervision of a competent person.

(b) The operations of cutting or welding steel or wrought iron gas mains and services by the application of heat, subject to the following conditions:—

(i) The main or service shall be situated in the open air and shall contain only the following gases, separately or mixed at a pressure greater than atmospheric pressure, namely, gas, coke-oven gas, producer gas, blast furnace gas, or gases other than air, used in their manufacture;

(ii) The main or service shall not contain acetylene or any gas or mixture of gases to which acetylene has been added intentionally;

(iii) The operation shall be carried out by an experienced person or persons and at least 2 persons (including those carrying out the operations) experienced in work on gas mains and over 18 years of age shall be present during the operation;

(iv) The site of the operation shall be free from any inflammable or explosive gas or vapour;

(v) Where acetylene gas is used as a source of heat in connection with an operation, it shall be compressed and contained in a porous substance in a cylinder; and

(vi) Prior to the application of any flame to the gas main or service, this shall be pierced or drilled and the escaping gas ignited.

(c) The operation of repairing an oil tank on any ship by the electric welding process shall be subject to the following conditions:—

(i) The only oil contained in the tank shall have a flash point of not less than 150° F. (close test) and a certificate to this effect shall be obtained from a competent analyst.

(ii) The analyst's certificate shall be kept available for inspection by an Inspector, or by any person employed or working on the ship.

(iii) The welding operation shall be carried out only on the exterior surface of the tank at a place (a) which is free from oil or oil leakage in inflammable quantities and (b) which is not less than one foot below the nearest part of the surface of the oil within the tank; and

(iv) Welding shall be done only by the electric welding and shall be carried out by experienced operatives under the constant supervision of a competent person.

*Notes*

Section 37 provides for precautions against explosive or inflammable dust, gas etc. Rule 62 has been framed to cover the requirements of sub-sections (4) and (5) of section 37 which read as under:—

(4) No plant, tank or vessel which contains or has contained any explosive or inflammable substance shall be subjected in any factory to any welding, brazing, soldering or cutting operation which involves the application of heat unless adequate measures have first been taken to remove such substance and any fumes arising therefrom or to render such substance and any fumes non-explosive or non-inflammable, and no such substance shall be allowed to enter such plant, tank or vessel after any such operation until the metal has cooled sufficiently to prevent any risk of igniting the substance.

(5) The State Government may by rules exempt, subject to such conditions as may be prescribed, any factory or class or description of factories from compliance with all or any of the provisions of this section.

**Rule prescribed under sub-section (1) of section 38**

63. *Means of escape in case of fire.*—Every factory shall be provided with adequate means of escape in case of fire for the persons employed therein, and without prejudice to the generality of the forgoing:—

(a) Each room of a factory building shall in relation to its size and the number of persons employed in it be provided with an adequate number of exits for use in case of fire though not necessarily confined to such use, so positioned that each person will have a reasonable free and unobstructed passage from his workplace to an exit.

(b) No exit intended for use in case of fire shall be less than 3 feet in width nor less than 6 feet 6 inches in height.

(c) In the case of a factory building or part of a factory building of more than one storey and in which not less than twenty persons work at any one time, there shall be provided at least one substantial stairway permanently constructed either inside or outside the building and which affords direct and unimpeded access to ground level.

(d) In the case of a factory building or part of a factory building in which twenty or more persons work at any one time above the level of the ground floor, and wherein explosive

or highly-inflammable materials are used or stored, or which is situated below ground level, the means of escape shall include at least two separate and substantial stair-ways permanently constructed either inside or outside the building and which afford direct and unimpeded access to ground level.

(e) Every stairway in a factory which affords a means of escape in case of fire shall be provided with a substantial hand-rail which if the stairway has an open side shall be on that side, and if the stairway has two open sides, such handrail shall be provided on both sides.

(2) In the case of a building constructed or converted for use as a factory after the date of the passing of the Act, the following additional requirements shall apply:—

(a) At least one of the stairways provided shall be of fireresisting materials;

(b) Every hoist-way or lift-way inside a factory building shall be completely enclosed with fire-resisting materials and all means of access to the hoist or lift shall be fitted with doors of fire resisting materials:

Provided that any such hoist-way or lift-way shall be enclosed only at the top by some material easily broken by fire or be provided with a vent at the top;

(c) No fire escape stair shall be constructed at an angle greater than 45° from the horizontal;

(d) No part of a factory building shall be further (along the line of travel) than 150 feet from any fire escape stair;

(e) No stairway shall be less than 45 inches in width.

Rule prescribed under sub-section (7) of section 38.

64. *Means of escape for cotton ginning factory.*—Notwithstanding anything contained in rule 63 cotton ginning factories shall be provided with at least 2 suitable earthen ramps or two flights of stair made of brick work or other fire-resisting material.

#### *Notes*

Rule 63 prescribes the requirements of sub-section (1) of Section 38 of the Act which reads as under.—

(1) Every factory shall be provided with such means of escape in case of fire as may be prescribed, and if it appears to the Inspector that any factory is not provided, he may serve on the manager of the factory an order in writing specifying the measures which, in his opinion, should be adopted to bring the factory into conformity with the provisions of this section and any rules made thereunder, and requiring them to be carried out before a date specified in the order.

Rule 64 has been framed in pursuance of sub-Section (7) of Section 38 which reads as under:—

(7) The State Government may make rules prescribing, in respect of any factory or class or description of factories, the means of escape to be provided in case of fire and the nature and amount of fire fighting apparatus to be provided and maintained.

Rule prescribed under section 41.

65. *Ladders.*—All ladders used in replacing belts shall be

specially made and reserved for that work and provided with hooks or an effective non-skid device.

Ladders provided with hooks must have hooks fitted in such suitable position that they rest on the shaft when the bottom end of the ladder is resting on the floor.

*Notes*

This rule has been framed in pursuance of section 41 of the Act which vests the State Government with the general power to make rules for safety measures.

## CHAPTER V.

### Welfare.

#### Rule prescribed under sub-section (2) of section 42

66. *Washing facilities.*—(1) This rule shall come into force, in respect of any class or description of factories, on such dates as the State Government may, by notification in the Official Gazette appoint in this behalf.

(2) There shall be provided and maintained in every factory for the use of employed persons adequate and suitable facilities for washing which shall include soap and nail brushes or other suitable means of cleaning and the facilities shall be conveniently accessible and shall be kept in a clean and orderly condition.

(3) Without prejudice to the generality of the foregoing provisions the washing facilities shall include—

- (a) a trough with taps or jets at intervals of not less than two feet, or
- (b) wash-basins with taps attached thereto, or
- (c) taps on stand-pipes, or
- (d) showers controlled by taps, or
- (e) circular troughs of the fountain type, provided that Inspector may, having regard to the needs and habits of the workers, fix the proportion in which the aforementioned types of facilities shall be installed.

(4) (a) Every trough and basin shall have a smooth, impervious surface and shall be fitted with a waste pipe and plug.

(b) The floor or ground under and in the immediate vicinity of every trough, tap, jet, wash-basin, stand-pipe and shower shall be so laid or finished as to provide a smooth impervious surface and shall be adequately drained.

(5) For persons whose work involves contact with any injurious or noxious substance there shall be at least one tap for every fifteen persons; and for persons whose work does not involve such contact the number of taps shall be as follows:—

No. of workers.	No. of taps.
upto . . . . 20	1
21 to 35	2
36 to 50	3
51 to 150	4
151 to 200	5
Exceeding 200 but not exceeding 500	5 plus one tap for every 50 or fraction of 50.
Exceeding 500	11 plus one tap for every 100 or fraction of 100.

(6) If female workers are employed, separate washing facilities shall be provided and so enclosed or screened that the interiors are not visible from any place where persons of the other sex work or pass. The entrance to such facilities shall bear conspicuous notice in the language, understood by the majority of the workers "For Women Only" and shall also be indicated pictorially.

(7) The water supply to the washing facilities shall be capable of yielding at least six gallons a day for each person employed in the factory and shall be from a source approved in writing by the Health Officer: Provided that where the Chief Inspector is satisfied that such an yield is not practicable he may by certificate in writing permit the supply of a smaller quantity not being less than one gallon per day for every person employed in the factory.

#### *Notes*

Rule 66 prescribes the requirements of section 42 of the Act which reads as under :—

(1) In every factory—

- (a) adequate and suitable facilities for washing shall be provided and maintained for the use of the workers therein;
- (b) separate and adequately screened facilities shall be provided for the use of male and female workers;
- (c) such facilities shall be conveniently accessible and shall be kept clean.

(2) The State Government may, in respect of any factory or class or description of factories or of any manufacturing process, prescribe standards of adequate and suitable facilities for washing.

#### *Rule prescribed under sub-section (1) of section 45*

67. *First aid appliance.*—The first aid boxes or cupboards shall be distinctively marked with a red cross on a white ground and shall contain the following equipment:—

A. For factories in which the number of persons employed does not exceed ten, or (in the case of factories in which mechanical power is not used) does not exceed fifty persons—Each first-aid box or cupboard shall contain the following equipment:—

- (i) 6 small sterilized dressings.
- (ii) 3 medium size sterilized dressings.
- (iii) 3 large size sterilized dressings.
- (iv) 3 large size sterilized burn dressings.
- (v) 1 (1 oz.) bottle containing a two per cent. alcoholic solution of iodine.
- (vi) 1 (1 oz.) bottle containing sal-volatile having the dose and mode of administration indicated on the label.
- (vii) A snake-bite lancet.
- (viii) 1 (1 oz.) bottle of potassium permanganate crystels.
- (ix) one pair Scissors.
- (x) 1 copy of the first-aid leaflet issued by the Chief Adviser, Factories, Government of India.

B. For factories in which mechanical power is used and in which the number of persons employed exceeds ten but does not

exceed fifty—Each first-aid box or cupboard shall contain the following equipment—

- (i) 12 small sterilized dressings.
- (ii) 6 medium size sterilized dressings.
- (iii) 6 large size sterilized dressings.
- (iv) 6 large size sterilized burn dressings.
- (v) 6 ( $\frac{1}{2}$  oz.) packets sterilized cotton wool.
- (vi) 1 (2 oz) bottle containing a two per cent. alcoholio solution of iodine.
- (vii) 1 (2 oz.) bottle containing sal-volatile having the dose and mode of administration indicated on the label.
- (viii) 1 roll of adhesive plaster.
- (ix) A snake bite lancet.
- (x) 1 (1 oz.) bottle of potassium permanganate crystals.
- (xi) 1 pair scissors.
- (xii) 1 copy of first-aid leaflet issued by the Chief Adviser Factories, Government of India.

C. For factories employing more than fifty persons—Each first-aid box or cupboard shall contain the following equipment:—

- (i) 24 small sterilized dressings.
- (ii) 12 medium size sterilized dressings.
- (iii) 12 large size sterilized dressings.
- (iv) 12 large size sterilized burn dressings.
- (v) 12 ( $\frac{1}{2}$  oz ) packets sterilized cotton wool.
- (vi) 1 snake bite lancet.
- (vii) 1 pair scissors.
- (viii) 2 (1 oz.) bottles of potassium permanganate crystals.
- (ix) 1 (4 oz.) bottle containing a two per cent. alcoholio solution of iodine.
- (x) 1 (4 oz.) bottle of sal-volatile having the dose and mode of administration indicated on the label.
- (xi) 1 copy of the first-aid leaflet issued by the Chief Adviser, Factories, Government of India.
- (xii) 12 roller bandages 4 inches wide.
- (xiii) 12 roller bandages 2 inches wide.
- (xiv) 2 rolls of adhesive plaster.
- (xv) 6 triangular bandages.
- (xvi) 2 packets of safety pins.
- (xvii) A supply of suitable splints.
- (xviii) 1 tournequet:

Provided that items (xii) to (xviii) inclusive need not be included in the standard first-aid box or cupboard (a) where there is a properly equipped ambulance room, or (b) if at least one box containing such items and placed and maintained in accordance with the requirements of section 45 is separately provided.

D. In lieu of the dressings required under items (i) and (ii),

there may be substituted adhesive wound dressings approved by the Chief Inspector of Factories.

Rule prescribed under sub-section [3] of section 45.

68. *Ambulance room.*—(1) This Rule shall come into force, in respect of any class or description of factories, on such dates as the State Government may, by notification in the official gazette, appoint in this behalf.

(2) The ambulance room or dispensary shall be in charge of a qualified medical practitioner assisted by at least one qualified nurse and such subordinate staff as the Chief Inspector may direct.

(3) The ambulance room or dispensary shall be separate from the rest of the factory and shall be used only for the purpose of first aid treatment and rest. It shall have a floor area of at least 250 sq. feet and smooth, hard and impervious walls and floor and shall be adequately ventilated and lighted by both natural and artificial means. An adequate supply of wholesome drinking water shall be laid on and the room shall contain at least:—

- (i) A glazed sink with hot and cold water always available.
- (ii) A table with a smooth top at least 6'×3'-6".
- (iii) Means for sterilizing instruments.
- (iv) A couch.
- (v) Two stretchers.
- (vi) Two buckets or containers with close fitting lids.
- (vii) Two rubber hot water bags.
- (viii) A kettle and spirit stove or other suitable means of boiling water.
- (ix) Twelve plain wooden splints 36"×4"× $\frac{1}{4}$ ".
- (x) Twelve plain wooden splints 14"×3"× $\frac{1}{4}$ ".
- (xi) Six plain wooden splints 10"×2"× $\frac{1}{2}$ ".
- (xii) Six plain wooden blankets.
- (xiii) One pair artery forceps.
- (xiv) One bottle of brandy.
- (xv) Two medium size sponges.
- (xvi) Six hand towels.
- (xvii) Four "Kidney" trays.
- (xviii) Four cakes carbolic soap.
- (xix) Two glass tumblers and two wine glasses.
- (xx) Two clinical thermometers.
- (xxi) Graduated measuring glass with teaspoon.
- (xxii) One eye bath.
- (xxiii) One bottle (2 lb.) carbolic lotion 1 in 20.
- (xxiv) Three chairs.
- (xxv) One screen.
- (xxvi) One electric hand torch.
- (xxvii) Four first aid boxes or cupboards stocked to the standards prescribed under item C of rule 68.
- (xxviii) An adequate supply of anti-tetanus serum.

(4) The occupier of every factory to which these Rules apply shall, for the purpose of removing serious cases of accident or sickness, provide in the premises and maintain in good condition a suitable conveyance unless he has made arrangements for obtaining such a conveyance from a hospital.

(5) A record of all cases of accident and sickness treated at the room shall be kept and produced to the Inspector of Certifying Surgeon when required.

#### Notes

The rules 67 and 68 have been framed in pursuance of section 45 of the Act which reads as under:—

(1) There shall in every factory be provided and maintained so as to be readily accessible during all working hours first aid boxes or cupboards equipped with the prescribed contents and the number of such boxes or cupboards to be provided and maintained shall not be less than one for every one hundred and fifty workers ordinarily employed at any one time in the factory.

(2) Nothing except the prescribed contents shall be kept in a first aid box or cupboard.

(3) Each first-aid box or cupboard shall be kept in the charge of a separate responsible person who is trained in first-aid treatment and who shall always be readily available during the working hours of the factory.

(4) In every factory wherein more than five hundred workers are employed there shall be provided and maintained an ambulance room of the prescribed size, containing the prescribed equipment and in the charge of such medical and nursing staff as may be prescribed.

#### Rules 69 to 75 prescribed under section 46.

#### Notes

The rules 69 to 75 are meant to meet the requirements of section 46 which reads as under:—

(1) The State Government may make rules requiring that in any specified factory wherein more than two hundred and fifty workers are ordinarily employed, a canteen or canteens shall be provided and maintained by the occupier for the use of the workers.

(2) Without prejudice to the generality of the foregoing powers, such rules may provide for—

- (a) the date by which such canteen shall be provided;
- (b) the standards in respect of construction, accommodation, furniture and other equipment of the canteen;
- (c) the foodstuffs to be served therein and the charges which may be made therefor;
- (d) the constitution of a managing committee for the canteen and representation of the workers in the management of the canteen;
- (e) the delegation to the Chief Inspector, subject to such condition as may be prescribed, of the powers to make rules under clause (c).

69. Canteens.—(1) Rules 69 to 75 shall come into force in respect of any class or description of factories on such dates as the State Government may by notification in the official gazette appoint in this behalf.

(2) The occupier of every factory notified by the State Government, and wherein more than two hundred and fifty workers are ordinarily employed shall provide in or near the factory an adequate canteen according to the standards prescribed in these Rules.

(3) The Manager of a factory shall submit for the approval of the Chief Inspector plans and site plan, in duplicate, of the building to be constructed or adapted for use as a canteen.

(4) The canteen building shall be situated not less than fifty feet from any latrine, urinal, boiler house, coal staoks, ash dumps and any other source of dust, smoke or obnoxious fumes:

Provided that the Chief Inspector may in any particular factory relax the provisions of this sub-rule to such extent as may be responsible in the circumstances and may require measures to be adopted to secure the esential purpose of this sub-rule.

(5) The canteen building shall be constructed in accordance with plans approved by the Chief Inspector and shall accommodate at least a dining hall, kitchen, store room, pantry and washing places separately for workers and for utensils.

(6) In a canteen the floor and inside walls upto a height of 4 feet from the floor shall be made of smooth and impervious material; the remaining portion of the inside walls shall be made smooth by cement plaster or in any other manner approved by the Chief Inspector.

(7) The doors and windows of a canteen building shall be fly-proof construction and shall allow adequate ventilation.

(8) The canteen shall be sufficiently lighted at all times when any persons have access to it.

(9) (a) In every canteen—

(i) all inside walls of rooms and all ceilings and passages and staircases shall be lime-washed or colour-washed at least once in each year or painted once in three years dating from the period when last lime-washed, or painted, as the case may be;

(ii) all wood work shall be varnished or painted once in three years dating from the period when last varnished or painted;

(iii) all internal structural iron or steel work shall be varnished or painted once in three years dating from the period when last varnished or painted: Provided that inside walls of the kitchen shall be lime-washed once every four months.

(b) Records of dates on which lime-washing, colour-washing, varnishing or painting is carried out shall be maintained in the prescribe Register (Form No. 7).

(10) The precincts of the canteen shall be maintained in a clean and sanitary condition. Waste water shall be carried away in suitable covered drains and shall not be allowed to accumulate so as to cause a nuisance. Suitable arrangement shall be made for the collection and disposal of garbage.

70. *Dining hall.*—(1) The dining hall shall accommodate at a time at least 30 per cent. of the workers working at a time:

Provided that in any particular factory or in any particular class of factories, the State Government may, by a notification in this behalf, alter the percentage of workers to be accommodated.

(2) The floor area of the dining hall, excluding the area occupied by the service counter and any furniture except tables and chairs, shall be not less than 10 square feet per diner to be accommodated as prescribed in sub-rule (1).

(3) A portion of the dining hall and service counter shall be partitioned off and reserved for women workers in proportion to their number. Washing places for women shall be separate and screened to secure privacy.

(4) Sufficient tables, chairs or benches shall be available for the number of diners to be accommodated as prescribed in sub-rule (1).

71. *Equipment.*—(1) There shall be provided and maintained sufficient utensils, crockery, cutlery, furniture and any other equipment necessary for the efficient running of the canteen. Suitable clean clothes for the employees serving in the canteen shall also be provided and maintained.

(2) The furniture, utensils and other equipment shall be maintained in a clean and hygienic condition. A service counter, if provided, shall have a top of smooth and impervious material. Suitable facilities including an adequate supply of hot water shall be provided for the cleaning of utensils and equipment.

72. *Prices to be charged*—(1) Food, drink and other items served in the canteen shall be sold on a non-profit basis and the prices charged shall be subject to the approval of the Canteen Managing Committee.

(2) The charges per portion or food stuff, beverages and any other item served in the canteen shall be conspicuously displayed in the canteen.

73. *Accounts*—(1) All books of accounts, registers and any other documents used in connection with the running of the canteen shall be produced on demand to an Inspector.

(2) The accounts pertaining to the canteen shall be audited, once every twelve months, by registered accountants and auditors. The balance sheet prepared by the said auditors shall be submitted to the Canteen Managing Committee not later than two months after the closing of the audited accounts:

Provided that the accounts pertaining to the canteen in a Government factory having its own accounts department may be audited in such department.

74. *Managing Committee*.—(1) The Manager shall appoint a Canteen Managing Committee which shall be consulted from time to time as to:—

(a) the quality and quantity of food stuffs to be served in the canteen;

- (b) the arrangement of the menus;
- (c) times of meals in the canteen; and
- (d) any other matter as may be directed by the Committee.

(2) The Canteen Managing Committee shall consist of an equal number of persons nominated by the occupier and elected by the workers. The number of elected workers shall be in the proportion of 1 for every 1000 workers employed in the factory, provided that in no case shall there be more than 5 or less than 2 workers on the Committee.

(3) The Manager shall determine and supervise the procedure for elections to the Canteen Managing Committee.

(4) The Canteen Managing Committee shall be reconstituted every two years, the previous managing committee holding office till such time as the new committee takes charge.

(5) The Canteen Managing Committee may in writing direct the Manager to provide in the canteen any item of food stuff if it is satisfied that such item is in general demand or it is likely to be in general demand. Such direction shall specify the size of each portion to be served, number of portions which shall be available and frequency of serving the particular item per week. Such direction shall specify the time limit within which the direction shall be complied with.

*75. Food stuffs to be served and the prices to be charged.*—While issuing rules or directions regarding the food stuffs to be served and the charges to be made therefor, the Chief Inspector of factories shall take into consideration the menu in vogue in the region concerned, and exclude rent for the land and building, interests on the amounts spent on the provisions and maintenance of furniture and equipment provided for the canteen, depreciation charges, electric charges and the element of profit. This shall be done in consultation with the Canteen Managing Committee.

*Rule prescribed under section 47.*

*76. Shelters, rest rooms and lunch rooms.*—(1) This Rule shall come into force, in respect of any class or description of factories, on such dates as the State Government may, by notification in the official gazette, appoint in this behalf.

(2) The shelters, or rest rooms and lunch rooms shall conform to the following standards and the manager of a factory shall submit for the approval of the Chief Inspector a site plan in duplicate of the building to be constructed or adapted:—

(a) The building shall be soundly constructed and all the walls and roof shall be of suitable heat resisting materials and shall be water-proof. The floor and walls to a height of 3 feet shall be so laid or finished as to provide a smooth, hard and impervious surface.

(b) The height of every room in the building shall be not less than 12 feet from floor level to the lowest part of the roof and there shall be at least 12 square feet of floor area for every person employ-

ed: Provided that (i) workers who habitually go home for their meals during the rest periods may be excluded in calculating the number of workers to be accommodated, and (ii) in the case of factories in existence at the date of commencement of the Act, where it is impracticable, owing to lack of space to provide 12 square feet of floor area for each person, such reduced floor area per person shall be provided as may be approved in writing by the Chief Inspector.

(c) Effective and suitable provision shall be made in every room for securing and maintaining adequate ventilation by the circulation of fresh air and there shall also be provided and maintained sufficient and suitable natural or artificial lighting.

(d) Every room shall be adequately furnished with chairs or benches with back-rests.

(e) Sweepers shall be employed whose primary duty it is to keep the rooms, building and precincts thereof in a clean and tidy condition.

#### *Notes*

This rule meets the requirements of section 47 which reads as under:—

(1) In every factory wherein more than one hundred and fifty workers are ordinarily employed, adequate and suitable shelters or rest-rooms and a suitable lunch-room, with provision for drinking water, where workers can eat meals brought by them, shall be provided and maintained for the use of the workers:

Provided that any canteen maintained in accordance with the provisions of section 46 shall be regarded as part of the requirements of this sub-section:

Provided further that where a lunch room exists no worker shall eat any food in the workroom.

(2) The shelters or rest-rooms or lunch-rooms to be provided under sub-section (1) shall be sufficiently lighted and ventilated and shall be maintained in a cool and clean condition.

(3) The State Government may—

(a) prescribe the standards in respect of construction, accommodation, furniture and other equipment of shelters, rest-rooms and lunch-rooms to be provided under this section;

(b) by notification in the official Gazette, exempt any factory or class or description of factories from the requirements of this section.

#### **Rules 77 to 80 prescribed under sub-section (3) of section 48.**

#### *Notes*

Section 48 of the Act requires that—

(1) In every factory wherein more than fifty women workers are ordinarily employed there shall be provided and maintained a suitable room or rooms for the use of children under the age of six years of such women.

(2) Such rooms shall provide adequate accommodation, shall be adequately lighted and ventilated, shall be maintained in a clean and sanitary condition and shall be under the charge of women trained in the care of children and infants.

(3) The State Government may make rules—

(a) prescribing the location, and the standards in respect of construction, accommodation, furniture and other equipment of rooms to be provided, under this section;

(b) requiring the provision in factories to which this section applies of additional facilities for the care of children belonging to women workers including suitable provision of facilities for washing and changing their clothing;

- (c) requiring the provision in any factory of free milk or refreshment or both for such children;
- (d) requiring that facilities shall be given in any factory for the mother of such children to feed them at the necessary intervals.

Rules 77 to 88 cover the requirements of this section.

**77 Creches.**—(1) Rules 77 to 80 shall come into force, in respect of any class or description of factories, on such dates as the State Government may, by notification in the official gazette, appoint in this behalf.

(2) The creche shall be conveniently accessible to the mothers of the children accommodated therein and so far as is reasonably practicable it shall not be suitable in close proximity to any part of the factory where obnoxious fumes, dust or odours are given off or in which excessively noisy processes are carried on.

(3) The building in which the creche is situated shall be soundly constructed and all the walls and roof shall be of suitable heat resisting materials and shall be water-proof. The floor and internal walls of the creche shall be so laid or finished as to provide a smooth impervious surface.

(4) The height of the rooms in the building shall be not less than 12 feet from the floor to the lowest part of the roof and there shall be not less than 20 square feet of floor area for each child to be accommodated.

(5) Effective and suitable provision shall be made in every part of the creche for securing and maintaining adequate ventilation by the circulation of fresh air.

(6) The creche shall be adequately furnished and equipped and in particular there shall be one suitable cot or cradle with the necessary bedding for each child (provided that for children over two years of age it will be sufficient if suitable bedding is made available), at least one chair or equivalent seating accommodation for the use of each mother while she is feeding or attending to her child, and a sufficient supply of suitable toys for the older children.

(7) A suitable fenced and shady open air play ground shall be provided for the older children: Provided that the Chief Inspector may by order in writing exempt any factory from compliance with this sub rule if he is satisfied that there is not sufficient space available for the provision of such a play-ground.

**78. Wash-room.**—(1) There shall be in or adjoining the creche a suitable wash-room for the washing of the children and their clothing. The wash-room shall conform to the following standards:—

(a) The floor and internal walls of the room to a height of 3 feet shall be so laid or finished as to provide a smooth impervious surface. The room shall be adequately lighted and ventilated and the floor shall be effectively drained and maintained in a clean and tidy condition.

(b) There shall be at least one basin or similar vessel for every four children accommodated in the creche at any one time together with a supply of water provided, if practicable,

through taps from a source approved by the Health Officer. Such source shall be capable of yielding for each child a supply of at least five gallons of water a day.

(c) An adequate supply of clean clothes, soap and clean towels shall be made available for each child while it is in the creche.

(2) Adjoining the washing room referred to above, a latrine shall be provided for sole use of the children in the creche. The design of the latrine and the scale of accommodation to be provided shall either be approved by the Public Health Authorities or where there is no such Public Health Authority, by the Chief Inspector of Factories.

79 *Supply of milk and refreshment.*—At least half a pint of clean pure milk shall be available for each child on every day it is accommodated in the creche and the mother of such a child shall be allowed in the course of her daily work for intervals of at least 15 minutes each (other than those allowed under section 55) to feed the child. For children above two years of age there shall be provided in addition an adequate supply of wholesome refreshment.

80. *Clothes for creche staff.*—The creche staff shall be provided with suitable clean clothes for use while on duty in the creche.

## CHAPTER VI.

### *Working Hours of Adults.*

#### *Rule prescribed under sub-section (2) of section 53*

81. *Compensatory holidays.*—(1) Except in the case of workers engaged in any work which for technical reasons must be carried on continuously throughout the day, the compensatory holidays to be allowed under sub-section (1) of section 52 of the Act shall be so spaced that not more than two holidays are given in one week.

(2) The Manager of the factory shall display, on or before the end of the month in which holidays are lost, a notice on respect of workers allowed compensatory holidays during the following month and of the dates thereof, at the place at which the Notice of Periods of Work prescribed under section 61 is displayed. Any subsequent change in the notice in respect of any compensatory holiday shall be made not less than three days in advance of the date of that holiday.

(3) Any compensatory holiday or holidays to which a worker is entitled shall be given to him before he is discharged or dismissed and shall not be reckoned as part of any period of notice required to be given before discharge or dismissal.

(4) (a) The Manager shall maintain a Register in Form No. 10:

Provided that, if the Chief Inspector of Factories is of the opinion that any muster-roll or register maintained as part of the routine of the factory, or return made by the Manager, gives in respect of any or all of the workers in the factory the particulars required for the enforcement of section 52, he may, by order in writ-

ing, direct that such muster-roll or register or return shall, to the corresponding extent, be maintained in place of and be treated as the register or return required under this rule for that factory.

(b) The register maintained under Clause (a) shall be preserved for a period of three years after the last entry in it and shall be produced before the Inspector on demand.

*Notes*

This rule has been framed in pursuance of section 53 of the act which provides that:—

- (1) Where, as a result of the passing of an order or the making of a rule under the provisions of this Act exempting a factory of the workers therein from the provisions of section 52, a worker is deprived of any of the weekly holidays for which provision is made in sub-section (1) of that section he shall be allowed, within the month in which the holidays were due to him or within the two months immediately following that month, compensatory holidays of equal number to the holidays so lost.
- (2) The State Government may prescribe the manner in which the holidays for which provision is made in sub-section (1) shall be allowed.

**Muster-roll prescribed under sub-section (4) of section 59.**

82. *Muster-roll for exempted factories.*—The Manager of every factory in which workers are exempted under section 64 or 65 from the provisions of section 51 or 54 shall keep a muster-roll in Form No. 11 showing the normal piece-work rate of pay, or the rate of pay per hour, of all exempted employees. In this muster-roll shall be correctly entered the overtime hours of work and payments therefor of all exempted workers. The muster-roll in Form No. 11 shall always be available for inspection.

*Notes*

Section 59 requires the provision of extra wages for overtime. Sub-section (4) of section 59 requires that:—

(4) The cash equivalent of the advantage accruing through the concessional sale to a worker of foodgrains and other articles shall be computed as often as may be prescribed on the basis of the maximum quantity of foodgrains and other articles admissible to a standard family.

*Explanation 1*—“Standard family” means a family consisting of the worker, his or her spouse and two children below the age of fourteen years requiring in all three adult consumption units.

*Explanation 2*—“Adult consumption unit” means the consumption unit of a male above the age of fourteen years; and the consumption unit of female above the age of fourteen years and that of a child below the age of fourteen years shall be calculated at the rates of 8 and 6 respectively of one adult consumption unit.

This rule has been framed in pursuance of sub-section (4).

82A. *Cash equivalent of concession in food supplies etc.*—The cash equivalent of the advantage occurring through the concessional sale to a worker of food grains and other articles shall be computed at the end of every wage period fixed under the provisions of the Payment of Wages Act, 1936.

82B. *Method of computing cash equivalent.*—For the purpose of computing cash equivalent of the advantage occurring through the concessional sale to a worker of food grains and other articles, the difference between the value of food grains and other articles at the

average rates in the nearest market prevailing during the wage period in which overtime was worked and value of food grains and other articles supplied at concessional rates shall be calculated and allowed for the number of overtime hours worked.

This Rule shall not apply to any Federal Railway Factory whose alternative method of computation has been approved by the State Government.

#### *Notes*

The rules 82 A and 82 B have been added through second notification.

#### *Rules prescribed under section 60.*

83. *Double employment of workers.*—(a) The Inspector of factories may sanction the employment of adult workers in more than one factory on the same day if he is satisfied that such adult worker is allowed to work not more than 48 hours in a week and is allowed weekly Holidays as per section 22.

(b) A note under the initials of the Inspector shall be made in the remarks column of register of such workers, permitted to work in more than one factory.

#### *Notice prescribed under sub-section (8) of section 61.*

84. *The notice of periods of work for adults.*—The notice of periods of work for adult workers shall be in form No. 12.

#### *Register prescribed under sub-section (2) of section 62.*

85. *Register of adult workers.*—The Register of adult workers shall be in Form No. 13

#### *Rules 86 to 89 prescribed under section 64.*

#### *Notes*

The rules 86 to 89 have been framed in pursuance of section 64 of the Act which reads as under:—

(1) The State Government may make rules defining the persons who hold positions of supervision or management or are employed in a confidential position in a factory, and the provisions of this Chapter, other than the provisions of clause (b) of sub-section (1) of section 66 and of the proviso to that sub-section, shall not apply to any person so defined.

(2) The State Government may make rules in respect of adult workers in factories providing for the exemption, to such extent and subject to such conditions as may be prescribed:—

- (a) of workers engaged on urgent repairs, from the provisions of sections 51, 52, 54, 55 and 56;
- (b) of workers engaged in work in the nature of preparatory or complementary work which must necessarily be carried on outside the limits laid down for the general working of the factory, from the provisions of sections 51, 54, 55 and 56;
- (c) of workers engaged in work which is necessarily so intermittent that the intervals during which they do not work while on duty ordinarily amount to more than the intervals for rest required by or under section 55, from the provisions of sections 51, 54, 55 and 56;
- (d) of workers engaged in any work which for technical reasons must be carried on continuously, from the provisions of sections 51, 52, 54, 55 and 56;
- (e) of workers engaged in making or supplying articles of prime necessity which must be made or supplied every day, from the provisions of section 52;
- (f) of workers engaged in a manufacturing process which cannot be

carried on except during fixed seasons, from the provisions of section 52;

- (g) of workers engaged in manufacturing process which cannot be carried on except at times dependent on the irregular action of natural forces, from the provisions of sections 52 and 55;
- (h) of workers engaged in engine-rooms or boiler houses or in attending to power-plant or transmission machinery, from the provisions of section 52.
- (i) of workers engaged in the printing of newspapers, who are held up on account of the breakdown of machinery, from the provisions of sections 51, 54 and 56.

*Explanation*—In this clause the expression “newspapers” has the meaning assigned to it in the Press and Registration of Books Act, 1867 (XXV of 1867);

- (j) of workers engaged in the loading or unloading of railway wagons, from the provisions of sections 51, 52, 54, 55 and 56.

(3) Rules made under sub-section (2) providing for any exemption may also provide for any consequential exemption from the provisions of section 61 which the State Government may deem to be expedient, subject to such conditions as it may prescribe.

(4) In making rules under this section, the State Government shall not exceed, except in respect of exemption under clause (a) of sub section (2), the following limits of work inclusive of overtime—

- (i) the total number of hours of work in any day shall not exceed ten;
- (ii) the spread-over, inclusive of intervals for rest, shall not exceed twelve hours in any one day;

Provided that, the State Government may, in respect of any or all of the categories of workers referred to in clause (d) of sub-section (2) make rules prescribing the circumstances in which, and the conditions subject to which the restrictions imposed by clause (i) and clause (ii) shall not apply in order to enable a shift worker to work the whole or part of a subsequent shift in the absence of a worker who has failed to report for duty;

- (iii) the total number of hours of overtime work shall not exceed fifty for any one quarter.

*Explanation*.—“Quarter” means a period of three consecutive months beginning on the 1st of January, the 1st of April, the 1st of July or the 1st of October,

(5) Rules made under this section shall remain in force for not more than three years..

The present rules stand as substituted through first notification.—The notification reads as under:—

Labour Department

Notification

Jaipur, August 13, 1957.

No. F.15(4) Lab./52.—Whereas the rules 86 to 89 of the Rajasthan Factories Rules 1951, made under section 64 of the Factories Act, 1948 (Act No. LXIII of 1948 ) have expired.

Now, in exercise of the powers conferred by section 64 and 112 of the Factories Act, 1948 (Act No. LXIII of 1948) the Government of Rajasthan is pleased to make the following amendments to the Rajasthan Factories Rules, 1951 as in force in the pre-reorganisation State of Rajasthan the same having been previously published, namely :—

86. *Person to hold positions of Supervision or management*.—The

following persons shall be deemed to hold position of supervision or management—

- (a) All persons specified in the Schedule annexed hereto.
- (b) Any other person who in the opinion of the Chief Inspector holds a position of supervision or management.

### SCHEDULE

List of persons to hold positions of Supervision or management in Factories :—

1. Managers.
2. Assistant managers.
3. Engineers (including Assistant Engineer).
4. Foreman.
5. Weaving-Masters and Spinning Master | In Textile Mills.
6. Jobbers or Muccadams.
7. Head Electricians.
8. Labour Officers.
9. Technical Experts.
10. Head Store Keepers.

87. *Persons defined to hold confidential positions.*—Time keepers employed in a Factory shall be deemed to be employed in a confidential position in the factory.

88. *List to be maintained of persons holding confidential position or position of Supervision or managements.*—A list showing the names, designations of nature of work of all such persons to whom the provisions of sub-section (1) of section 64 have been applied shall be maintained in every factory and a copy thereof shall be sent to the Inspector.

89. *Exemption of certain adult workers.*—Adult workers engaged in factories specified in column 2 of the Schedule hereto annexed on the work specified in column 3 of the said Schedule shall be exempted from the provisions of the sections specified in column 4 of the said Schedule subject to the condition, if any, specified in column 5 of the said Schedule.

## SCHEDULE 4

Section of the Act empowering grant of exemption	Class of factory	Nature of exempted work	Extent of exemption	Condition
1	2	3	4	5
64(2)(a) & 64(3).	All the factories.	Urgent repairs.	Sections 51, 52, 54, 56 and 61.	<p>(i) No worker shall be employed on such repairs for more than 15 hours on any one day, 39 hours during three consecutive days or 66 hours during each period of seven consecutive days commencing from his first employment on such repairs.</p> <p>(ii) Within 24 hours of the commencement of the work notice shall be sent to the Inspector describing the nature of the urgent repairs and the period probably required for their completion.</p> <p>(iii) If the Inspector is of opinion that any work being carried on or likely to be carried on in a factory as "urgent repairs is not" "urgent repairs" the Inspector shall serve on the management an order to that effect and the Manager shall in respect of such work not allow</p>

any worker to work in contravention of the provisions of sections 51, 52, 54, 55, 56 and shall comply with section 61.

- (iv) Exemption from the provisions of section 54 shall apply only in the case of adult male workers.
- (v) Throughout the full period of such work, a notice stating the names of the worker employed thereby shall be displayed and maintained in accordance with the provisions of sub section (2) of section 108.

- (a) Intervals for food and rest shall be given to all workers allowed to work on such work.
- (b) No worker shall be employed for more than fourteen consecutive days without a holiday for a whole day.
- (c) Register or muster roll required to be maintained under section 62 shall show correctly full particulars of period with which each such worker may be required to work; entries in the register or muster roll shall be up to date, and

64(2)(b) & 64(3). All the factories 1. Work in the Mechanic Section 51 shop the smithy or the 52, 54, 55, 56 foundry or in connection and 61 with the mill gearing the electro driving or lighting apparatus, the mechanical or electric lifts or the steam or water pipes or pump of a factory.

2. Work of examination for repairing any machinery or other part of the plant which is necessary for carrying on work in the

3. Work in the boiler houses  
engine rooms such as  
lighting fires in order to  
raise steam or general gas  
preparatory to the com-  
mencement of regular  
work in the factory.

64(2)(c) & 64(3). All the factories.  
Work performed by drivers. Section 51  
on lighting, ventilating & 54, 55, 56  
humidifying apparatus. and 61.

Work performed by fire  
pump-men work of persons  
engaged in loading and un-  
loading or transporting  
raw materials or finished  
articles in factories where  
such work is intermittent  
and mainly outside the  
factory premises.

64(2)(d) & 61(3). Oil Tank installations.  
Work performed by workers. Section 51, 52,  
connected with pumping 54, 55, 56,  
operations. and 61.

(d) The limit of work inclusive of  
overtime shall not exceed those  
mentioned in sub-section (4) of  
section 64.

- (a) Intervals for food and rest shall  
be given to all workers allowed  
to work on such work.
- (b) Register or muster roll required to  
be maintained under section 62  
shall show correctly full particu-  
lar of periods, within which each  
such worker may be required to  
work; entries in the register or  
muster roll shall be up to date,  
and
- (c) The limit of work inclusive of  
overtime shall not exceed those  
mentioned in sub-section (4) of  
section 64.

- (a) Intervals for food and rest shall  
be given to all workers allowed  
to work on such work.
- (b) Notice of such pumping opera-  
tions with the number of workers  
allowed to work shall be sent to  
the Inspector as soon as possible  
after the commencement of such

work, and  
(c) The limits of work inclusive of overtime shall not exceed those mentioned in sub-section (4) of section 64.

- Hydro Eleo- Operations and maintenance Sec.51,52,  
tric public of prime movers and auxi- 54,55 and  
supply facto- liaries, transformers and 56.  
ries.
- (a) The workers engaged on such work shall ordinarily be employed on daily eight hours shift.
  - (b) No such worker shall be employed for more than 14 consecutive days without a compensatory rest period of at least twenty-four hours at one time, and
  - (c) The limits of work inclusive of overtime shall not exceed those mentioned in sub-section (4) of section 64.

Publio Eleo- The work of engine drivers Sec. 51,52,  
tric Supply & Asstt. Generator Attenu- 54,55, and  
companies dants, Oilers and Trassers 56.  
generating switch-board Operators &  
electricity Pump men.  
from oil in  
internal com-  
bustion  
engines.

The Co-operation & mainten- -do-  
ane of the transforming  
plant, switches and syn-  
chronous condensers.

-do-

-do-

Distilleries.	Work on the extraction of sugar juice and distillation of fermented wash.	-do-
Sugar Factories.	Extraction of the juice from the cane, clarification, evaporation and boiling of the juice, owing of the mæseauts Bugging.	-do-
Chemical factories.	Work on the sulphur burners chambers, concentrators & pumping, roasting furnace, manufacture of hydrochloric & nitric acid sulphates, sulphides, nitrates superphosphates and chlorides, work on the steam service.	-do-
Vegetable Oil	The work viz. refining bleaching, filtering, generation of hydrogen hydrogenating & deodorising processes also compression of oxygen and the cylinder-filling and work on the electrical power plant.	-do-
Ice factories.	Work of the engine & compressor drivers and assistants and oilers.	-do-
Paper factories	All work on paper making machinery, & on the general	-do-

ration & supply of power connected therewith.

Work on choppers, digesters, Kneaders strainers and washers, beators, paper making machines pulp-pulping plant readers outering plant and power plant.

All work on the steel furnaces.  
factories. All work.

Oil Mills. All work.

Flour Mills. All work. Rubber Type All work on curing process. factories Work in attending to furnaces. All work and processes from mixing of batch removal of manufactured glassware from the leurs.

Seo. 54,  
Seo. 54 and  
shifts of not  
duration.  
-do-

Seo. 55.  
Seo. 55 and  
shifts of not  
duration.  
-do-

- (a) The limits of work inclusive of overtime shall not exceed those mentioned in sub-section (4) of section 64.
- (b) The workers shall be allowed to work on shift not longer than 8 hours duration.
- (c) No worker shall be allowed to work on consecutive weekly holidays.

64 (2) (d). Cement Workers engaged on manu-  
factory which is essenti-  
ally continuous.

- (a) No worker shall be employed for more than 56 hours in any week. The total No. of hours of overtime work shall not exceed 60 for any quarter.
- (b) No worker shall be employed for more than 14 consecutive days without a rest period of at least of 24 consecutive hours but the holidays so lost shall be compensated within a period of 3 months. The exemption shall be limited to male adults only.
- (c) Interval of at least half an hour for feed and rest shall be given on each working day to all persons employed on such work.
- (d) The workers shall be employed on ordinarily eight hours shift, unless permission in writing is obtained from the Chief Inspector of Factories shall not apply in case of female workers.
- (e) No worker or group of workers shall be exempted from section 61 unless the permission in writing is obtained from the Chief Inspector.
- (f) The Chief Inspector can relax or modify the provisions of section

61 in respect of such workers therein to such extent and such manner as he may think fit and subject to such conditions as he may deem expedient to ensure control over the period of work while according permission under clause (f).

-do-

Pottery works (a) Works of polishers in Sec. 51,52  
all factories.  
(b) Work of fireman on kilns  
Sec. 55

-do-  
The workers shall be allowed to work on shift not longer than 8 hours duration.

(a) Throughout the full period of such work a notice stating the names of the workers employed thereon shall be displayed and maintained in accordance with the provisions of sub-section (2) of section 108.

(b) A statement showing the time of commencement of such work and total No. of hours of worked each day by each worker shall be sent to the Inspector within thirty six hours after the completing of the work.

(c) No such worker shall be employed so as to work in excess of any

Brick and Lime factories. All factories Adult male workers employed & engaged in loading & unloading of Rly. wagons. and 61, 52, 54, 55, 56,  
61.

64(2)(i).

of the limits specified in sub section. (4) of section 64.

-do-

- 64(2) (j) Newspaper printing factories Adult male workers engaged in printing of Newspapers. 56 & 61.  
Who are held upon account of break down of machinery.

\* The following shall be considered to be urgent repairs:—

- (a) Repairs to any part of the machinery plant or structure of a factory which are of such a nature that delay in their execution would involve danger to human life or safety or the stoppage of manufacturing process.
  - (b) Breakdown repairs to the motive power, transmission or other essential plant of other factories, collieries, railways dockyards, harbours, tramways, motor transport, gas, electrical generating and transmission, pumping, or similar essential or public utility services carried out in general engineering works and foundaries and which are necessary to enable such concerns to maintain their main manufacturing processes production or services during normal working hours.
  - (c) Repairs to deep sea ships and repairs to commercial aircraft done in a factory which are essential to enable such ships aircraft to leave port at proper time or continue their normal operations in a sea or air worthy condition as the case may be.
  - (d) Repairs in connection with a change of active power of example, from steam to electricity or vice versa, when such work cannot possible be done without stoppage of the normal manufacturing process.
2. Periodical cleaning is not included in the terms "examining" or "repairing".

## CHAPTER VII.

### *Employment of Young Persons.*

**Notice presecribed under sub-section (3) of section 72.**

90. *Notice of periods of work for children.*—The notice of periods of work for child workers shall be in Form No. 14.

**Register prescribed under sub-section (2) of section 73.**

91. *Register of child workers.*—The Register of child workers shall be in Form No. 15.

## CHAPTER VIII.

### *Notes*

The rules in this Chapter have been framed in exercise of the powers conferred by sections 83 and 112 of the Act which read as under;—

The State Government may make rules directing managers of factories to keep registers containing such particulars as may be prescribed and requiring the registers to be made available for examination by Inspectors.

The State Government may make rules providing for any matter which under any of the provisions of this Act, is to be or may be prescribed, or which may be considered expedient in order to give effect for the purposes of this Act.

### *Leave with Wages.*

**Rules 92, 93, 94 prescribed under section 83 and 112.**

92. *Leave with wages Register.*—(1) The Manager shall keep a Register in Form No. 16 hereinafter called the Leave with Wages Register,

Provided that if the Chief Inspector is of the opinion that any muster-roll or register maintained as part of the routine of the factory, or return made by the Manager, gives, in respect of any or all of the workers in the factory, the particulars required for the enforcement of Chapter VIII of the Act, he may, by order in writing, direct that such muster-roll or register or return shall, to the corresponding extent, be maintained in place of and be treated as the register or return required under this Rule in respect of that factory.

(2) The Leave with Wages Register shall be preserved for a period of three years after the last entry in it and shall be produced before the Inspector on demand.

### *Notes*

The Form No 16 appended with these rules stands as sub-stituted by second notification.

93. *Leave Book.*—(1) The Manager shall provide each worker with a book in Form No. 17 (hereinafter called the Leave Book). The Leave Book shall be the property of the worker and the Manager or his agent shall not demand if except to make the relevant entries there in whenever necessary and shall not keep it for more than a week at a time.

(2) If a worker loses his Leave Book, the Manager shall provide him with another copy on the payment of anna one, and shall complete it from his record.

*Notes*

The present Form No. 17 stands as substituted by the second notification. The second sentence in sub-rule (1) of Rule 93 stands as replaced by the second notification.

94. *Medical Certificate*.—If a worker is absent from work due to his illness and he wants to avail himself of the leave with wages due to him to cover the whole or part of the period of his illness under the provisions of clause (7) of section 79 of Chapter VIII as revised by the Factories (Amendment) Act, 1954 he shall, if required by the Manager produce a Medical Certificate signed by a registered Medical Practitioner or by a registered or recognised Vaid or Hakim stating the cause of absence and the period for which the worker is, in the opinion of such Medical Practitioner, Vaid or Hakim, unable to attend to his work, or other reliable evidence to prove that he was actually sick during the period for which the leave is to be availed of.

*Notes*

The present rule 94 stands in the substituted form. The previous rule has been so substituted through second notification.

95. *Notice to Inspector of involuntary unemployment*.—The Manager shall give, as soon as possible, a notice to the Inspector of every case of involuntary unemployment of workers, giving numbers of unemployed and the reason for their unemployment. Entries to this effect shall be made in the Leave with Wages Register and the Leave Book in respect of each worker concerned.

96. *Notice by workers*.—Before or at the end of every calendar year a worker, who may be required to avail of leave in accordance with sub-section (8) of section 79 of the Factories Act, 1948, may give notice to the manager of his intention not to avail himself of the leave with wages, falling due during the following calendar year. The manager shall make an entry to that effect in the leave with wages register and in the Leave Book of the worker concerned.

*Notes*

The present rule 96 stands in the substituted form. The previous rule has been so substituted through second notification.

97. *Notice of leave with wages*.—(1) Except in regard to a worker who has given notice of his intention not to avail himself of [leave with wages in the calendar year] in which these fall due, the Manager shall by a notice displayed at the place at which the notice of the periods of work required by section 61 is displayed, fix the dates on which leave with wages shall be allowed to each worker or group of workers including any worker who has accumulated his leave. This date shall not, in an individual case, be earlier than four weeks from the date of notice unless the worker agrees to take the leave earlier. The necessary entries shall be made in the Leave with Wages Register and the Leave Book of the worker concerned.

(2) As far as circumstances permit, members of the same

family comprising husband, wife and children shall be allowed leave on the same date.

(3) The Manager may alter the dates fixed for leave only after giving a notice of four weeks to the worker.

(4) A worker may exchange the period of his leave with another worker subject to the approval of the Manager.

#### *Notes*

The words, "Leave with wages in the calendar year" within brackets in sub-rule (1) have been substituted for the previous words "Holidays in the year" through second notification.

**97A. Cash Equivalents of concession earned during leave.**—The cash equivalent of the advantage occurring through the concessional sale of food grains and other articles payable to workers proceeding on leave shall be the difference between the value at the average rates in the nearest market prevailing during the month immediately preceding his leave and the value at, the concessional rates allowed of food grains and other articles he is entitled to.

For the purpose of the cash equivalent monthly average market rate of food grains and other articles shall be computed at the end of every month.

#### *Notes*

The second notification has introduced this new rule.

**98. Payment of wages if the worker dies.**—If a worker dies before he resumes work, the balance of his pay, due for the period of leave [with wages not availed of], shall be paid to his nominee within one week of the receipt of intimation of death of the worker. For this purpose each worker shall submit a nomination in the Form No. 18 duly signed by himself and attested by two witnesses. The nomination shall remain in force until it is cancelled or revised by another nomination.

#### *Notes*

The words, "with wages not availed of" within brackets in this rule have been added through second notification. The Form 18 of the rule has also been amended by the second notification through substitution of the words within brackets i.e., "Leave with wages not availed of" and "My" for the previous words "Holidays" and "By" respectively.

**99. Register to be maintained in case of exemption under section 84.**—Where an exemption is granted under section 84, the Manager shall maintain a Register showing the position of each worker as regards leave due, leave taken and wages granted.

(2) He shall display at the main entrance of the factory, a notice giving full details of the system established in the factory for leave with wages and shall send a copy of it to the Inspector.

(3) No alteration shall be made in the scheme approved by the State Government at the time of granting exemption under section 84 without its previous sanction.

## CHAPTER IX.

### *Special Provisions.*

**Rule prescribed under section 87.**

100. *Dangerous Operations.*—(1) The following operations when carried on in any factory are declared to be dangerous operations under section 87:—

1. Manufacture of aerated water and processes incidental thereto.
2. Electrolytic plating of oxidation of metal articles by use of an electrolyte containing chromic acid or other chromium compounds.
3. Manufacture and repair of electric accumulators.
4. Glass manufacture.
5. Grinding or glazing of metals.
6. Manufacture and treatment of lead and certain compounds of lead.
7. Generating petrol gas from petrol.
8. Cleaning or smoothing of articles by a jet of sand, metal shot or grit or other abrasive propelled by a blast of compressed air or steam.

9 Liming and tanning of raw hides and skins and processes incidental thereto.

(2) The provisions specified in the Schedules annexed hereto shall apply to any class or description of factories wherein dangerous operations specified in each Schedule are carried out.

(3) This Rule shall come into force in respect of any class or description of factories, wherein the said operations are carried on, on such dates as the State Government may by notification in the official gazette appoint in this behalf.

#### *Notes*

This rule has been framed in pursuance of section 87 of the Act which reads as under:—

Where the State Government is of opinion that any operation carried on in a factory exposes any persons employed into a serious risk of bodily injury, poisoning or disease, it may make rules applicable to any factory or class or description of factories which the operation is carried on—

- (a) specifying the operation and declaring it to be dangerous;
- (b) prohibiting or restricting the employment of women, adolescents or children in the operation;
- (c) providing for the periodical medical examination of persons employed, or seeking to be employed, in the operation and prohibiting the employment of persons not certified as fit for such employment;
- (d) providing for the protection of all persons employed in the operation or in the vicinity of the places where it is carried on;
- (e) prohibiting, restricting or controlling the use of any specified materials or processes in connection with the operation.

#### SCHEDULE I.

( *Manufacture of Aerated Waters and processes incidental thereto* )

1. *Fencing of machines.*—All machines for filling bottles or siphons shall be so constructed, placed or fenced, as to prevent, as

far as may be practicable, a fragment of a bursting bottle or syphons from striking any person employed in the factory.

2. *Face guards and gauntlets*.—(1) The occupier shall provide and maintain in good condition for the use of all persons engaged in filling bottles or syphons:—

(a) suitable face-guards to protect the face, neck and throat; and

(b) suitable gauntlets for both arms to protect the whole hand and arms:

Provided that—

(i) paragraph 2 (1) shall not apply where bottles are filled by means of an automatic machine so constructed that no fragment of a bursting bottle can escape, and

(ii) where a machine is so constructed that only one arm of the bottler at work upon it is exposed to danger, a gauntlet need not be provided for the arm which is not exposed to danger.

(2) The occupier shall provide and maintain in good condition for the use of all persons engaged in corking, crowning, screwing, wiring, foiling, capsuling, sighting or labelling bottles or syphons—

(a) suitable face-guards to protect the face, neck and throat, and

(b) suitable gauntlets for both arms to protect the arm and at least half of the palm and the space between the thumb and forefinger.

3. *Wearing of face guards and gauntlets*.—All persons engaged in any of the processes specified in paragraph 2 shall, while at work in such processes, wear the face-guards and gauntlets provided under the provisions of the said paragraph.

#### SCHEDULE-II.

(*Electrolytic plating or Oxidation of Metal articles by use of an Electrolyte containing chromic acid or other Chromium Compounds*).

1. *Definitions*.—For the purposes of this Schedule,—

(a) “Electrolytic chromium process” means the electrolytic plating or oxidation of metal articles by the use of an electrolyte containing chromic acid or other chromium compounds.

(b) “Bath” means any vessel used for an electrolytic chromium process or for any subsequent process.

(c) “Employed” means in paragraphs 5, 7, 8, and 9 of this Schedule, employed in any process involving contact with liquid from a bath.

(d) “Suspension” means suspension from employment in any process involving contact with liquid from any bath by written certificate in the Health Register, signed by the Certifying Surgeon, who shall have power of suspension as regards all persons employed in any such process.

2. *Exhaust draught.*—An efficient exhaust draught shall be applied to every vessel in which an electrolytic chromium process is carried on. Such draught shall be provided by mechanical means and shall operate on the vapour or spray given off in the process as near as may be at the point of origin. The exhaust draught appliance shall be so constructed, arranged and maintained as to prevent the vapour or spray entering into any room or place in which work is carried on.

3. *Prohibition relating to women and young persons.*—No woman, adolescent or child shall be employed or permitted to work at a bath.

4. *Floor of work-rooms.*—The floor of every room containing a bath shall be impervious to water. The floor shall be maintained in good and level condition and shall be washed down at least once a day.

5. *Protective clothing.*—(1) The occupier of the factory shall provide and maintain in good and clean condition the following articles of protective clothing for the use of all persons employed on any process at which they are liable to come in contact with liquid from a bath and such clothing shall be worn by the persons concerned:—

(a) water-proof aprons and bibs, and

(b) for persons actually working at a bath loose-fitting rubber gloves and rubber boots or other water-proof footwear.

(2) The occupier shall provide and maintain for the use of all persons employed suitable accommodation for the storage and adequate arrangements for the drying of the protective clothing.

6. *Medical requisites.*—The occupier shall provide and maintain a sufficient supply of suitable ointment and impermeable water-proof plaster in a separate box readily accessible to the workers and used solely for the purpose of keeping the ointment and plaster.

7. *Medical examination.*—(a) Every person employed shall be examined by the Certifying Surgeon once in every 14 days and such examination shall take place at the factory.

(b) A Health Register in the prescribed Form No. 19 shall be kept by the occupier of the factory and in it shall be entered the names of all persons employed together with such entries as the Certifying Surgeon may make from time to time.

(c) No person after suspension shall be employed without written sanction from the Certifying Surgeon entered in or attached to the Health Register.

8. *Cautionary placard.*—A Cautionary placard in the form specified by the Chief Inspector and printed in the language of the majority of the workers employed shall be affixed in a prominent place in the factory where it can be easily and conveniently read by the workers.

9. *Weekly examination.*—A responsible person appointed in writing by occupier of the factory shall twice in every week inspect

the hands and forearms of all persons employed and shall keep a record of such inspections in the Health Register.

### SCHEDULE III

#### (Manufacture and Repair of Electric Accumulators)

1. *Savings.*—This schedule shall not apply to the manufacture or repair of electric accumulators or parts thereof not containing lead or any compound of lead; or to the repair on the premises, of any accumulator forming part of a stationary battery.

2. *Definitions.*—For the purposes of this Schedule,—

(a) "Lead process" means the melting of lead or any material containing lead, casting, pasting, lead burning, or any other work, including trimming, or any other abrading or cutting of pasted plates involving the use, movement or manipulation of, or contact with, any oxide of lead.

(b) "Manipulation of raw oxide of lead" means any lead process involving any manipulation or movement of raw oxides of lead other than its conveyance in a receptacle or by means of an implement from one operation to another.

(c) "Suspension" means suspension from employment in any lead process by written certificates in the Health Register (Form No. 17) signed by the Certifying Surgeon, who shall have power of suspension as regards all person employed in any such process.

3. *Prohibition relating to women and young person.*—No women or young person shall be employed or permitted to work in any lead process or in any room in which the manipulation of raw oxide of lead or pasting is carried on.

4. *Separation of certain processes.*—Each of the following processes shall be carried on in such a manner and under such conditions as to secure effectual separation from one another, and from any other process:—

(a) Manipulation of raw oxide of lead;

(b) Pasting;

(c) Drying of pasting plates.

(d) Formation with lead burning ("tacking") necessarily carried on in connection therewith.

(e) Melting down of pasted plates.

5. *Air space.*—In every room in which a lead process is carried on, there shall be at least 500 cubic feet of air space for each person employed therein, and in computing this air space no height over 12 feet shall be taken into account.

6. *Ventilation.*—Every work-room shall be provided with inlets and outlets of adequate size as to secure and maintain efficient ventilation in all parts of the room.

7. *Distance between workers in pasting room.*—In every pasting room the distance between the centre of the working position of any paster and that of the paster working nearest to him shall not be less than five feet.

8. *Floor of workroom.*—(1) The floor of every room in which a lead process is carried on shall be—

- (a) of cement or similar material so as to be smooth and impervious to water;
- (b) maintained in sound condition;
- (c) kept free from materials, plant, or other obstruction not required for, or produced in, the process carried on in the room.

(2) In all such rooms other than grid casting shops the floor shall be—

- (d) cleansed daily after being thoroughly sprayed with water at a time when no other work is being carried on in the room.

(3) In grid casting shops the floor shall be cleansed daily.

(4) Without prejudice to the requirements of sub-paragraphs (1), (2), and (3) where manipulation of raw oxide of lead or pasting is carried on, the floor shall also be—

- (a) kept constantly moist while work is being done;
- (b) provided with suitable and adequate arrangements for drainage;
- (c) thoroughly washed daily by means of a hose pipe.

3. *Work-benches.*—The work-benches at which any lead process is carried on shall—

- (a) have a smooth surface and be maintained in sound condition;
- (b) be kept free from all materials or plant not required for, or produced in, the process carried on thereat;

and all such work-benches other than those in grid casting shops shall—

- (c) be cleansed daily either after being thoroughly damped or by means of a suction cleaning apparatus at a time when no other work is being carried on thereat;

and, all such work-benches in grid casting shops, shall—

- (d) be cleansed daily;

and every work-bench used for pasting shall—

- (e) be covered throughout with sheet lead or other impervious material;
- (f) be provided with raised edges;
- (g) be kept constantly moist while pasting is being carried on.

10. *Exhaust draught.*—The following processes shall not be carried on without the use of an efficient exhaust draught:—

- (a) Melting of lead or materials containing lead;

(b) Manipulation of raw oxide of lead, unless done in an enclosed apparatus so as to prevent the escape of dust into the workroom;

- (c) Pasting;

(d) Trimming, brushing, filing or any other abrading or cutting of pasted plates giving rise to dust;

- (e) Lead burning, other than—

(i) "tacking" in the formation room;

(ii) chemical burning for the making of lead lining for cell cases necessarily carried on in such a manner that the application of efficient exhaust is impracticable.

Such exhaust draught shall be effected by mechanical means and shall operate on the dust or fume given off as nearly as may be at its point of origin, so as to prevent it entering the air of any room in which persons work.

11. *Fumes and gases from melting pots.*—The products of combustion produced in the heating of any melting pot shall not be allowed to escape into a room in which persons work.

12. *Container for dross.*—A suitable receptacle with tightly fitting cover shall be provided and used for dross as it is removed from every melting pot. Such receptacle shall be kept covered while in the workroom, except when dross is being deposited therein.

13. *Container for lead waste.*—A suitable receptacle shall be provided in every workroom in which old plates and waste material which may give rise to dust shall be deposited.

14. *Racks and Shelves in drying room.*—The racks or shelves provided in any drying room shall not be more than 8 feet from the floor nor more than 2 feet in width: Provided that as regards racks or shelves set or drawn from both sides the total, width shall not exceed 4 feet.

Such racks or shelves shall be cleaned only after being thoroughly damped unless an efficient suction cleaning apparatus is used for this purpose.

15. *Medical examination.*—(a) Every person employed in a lead process shall be examined by the Certifying Surgeon within the seven days preceding or following the date of his first employment in such process and thereafter shall be examined by the Certifying Surgeon once in every calendar month, or at such other intervals as may be specified in writing by the Chief Inspector, on a day of which due notice shall be given to all concerned.

“First employment” means first employment in a lead process in the factory or workshop and also re employment therein in a lead process following any cessation of employment in such process for a period exceeding three calendar months.

(b) A Health Register in Form No. 19 containing the names of all persons employed in a lead process shall be kept.

(c) No person after suspension shall be employed in a lead process without written sanction from the Certifying Surgeon entered in or attached to the Health Register.

16. *Protective clothing.*—Protective clothing shall be provided and maintained in good repair for all persons employed in—

(a) manipulation of raw oxide of lead;

(b) pasting;

(c) the formation room;

and such clothing shall be worn by the persons concerned. The protective clothing shall consist of a water-proof apron and water-proof footwear; and, also, as regards persons employed in the mani-

pulation of raw oxide of lead or in pasting, head coverings. The head coverings shall be washed daily.

17. *Mess Room*.—There shall be provided and maintained for the use of all persons employed in a lead process and remaining on the premises during the meal intervals, a suitable mess room, which shall be furnished with (a) sufficient tables and benches, and (b) adequate means for warming food.

The mess-room shall be placed under the charge of a responsible person, and shall be kept clean.

18. *Cloak room*.—There shall be provided and maintained for the use of all persons employed in a lead process—

(a) a cloak-room for clothing put off during working hours with adequate arrangements for drying the clothing if wet. Such accommodation shall be separate from any mess-room.

(b) separate and suitable arrangements for storage of protective clothing provided under Paragraph 16.

19. *Washing facilities*.—There shall be provided and maintained in a cleanly state and in good repair for the use of all persons employed in a lead process—

(a) A wash place under, with either—

(i) a trough with a smooth impervious surface fitted with a waste pipe, without plug, and of sufficient length to allow of at least two feet for every five such persons employed at any one time, and having a constant supply of water taps of jets above the trough at intervals of not more than two feet; or

(ii) at least one wash basin for every five such persons employed at any one time, fitted with a waste pipe and plug and having a constant supply of water laid on;

(iii) a sufficient supply of clean towels made of suitable materials renewed daily, which supply, in the case of pasters and persons employed in the manipulation of raw oxide of lead, shall include a separate marked towel for each such worker; and

(iv) a sufficient supply of soap or other suitable cleansing materials and of nail brushes.

(b) There shall in addition be provided means of washing in close proximity to the rooms in which manipulation of raw oxide of lead or pasting is carried on if required by notice in writing from the Chief Inspector.

20. *Time to be allowed for washing*.—Before each meal and before the end of the day's work, at least ten minutes, in addition to the regular meal times, shall be allowed for washing to each person who has been employed in the manipulation of raw oxide of lead or in pasting:

Provided that if there be one basin or two feet of trough for each such person this Paragraph shall not apply.

21. *Facilities for bathing.*—Sufficient bath accommodation to the satisfaction of the Chief Inspector shall be provided for all persons engaged in the manipulation of raw oxide of lead or in pasting, and a sufficient supply of soap and clean towels.

22. *Food drinks, etc. prohibited in work rooms.*—No food, drink, pan and supari or tobacco shall be consumed or brought by any worker into any work-room in which any lead process is carried on.

#### SCHEDULE IV.

##### (Glass Manufacture)

1. *Exemption.*—If the Chief Inspector is satisfied in respect of any factory or any class of process that, owing to the special methods of work or the special conditions in a factory or otherwise, any of the requirements of this Schedule can be suspended or relaxed without danger to the persons employed therein, or that the application of this Schedule or any part thereof is for any reason impracticable, he may by certificate in writing authorise such suspension or relaxation as may be indicated in the certificate for such period and on such conditions as he may think fit.

2. *Definitions.*—For the purposes of this Schedule—

(a) "Efficient exhaust draught" means localised ventilation effected by mechanical means for the removal of gas, vapour, dust or fumes so as to prevent them (as far as practicable under the atmospheric conditions usually prevailing) from escaping into the air of any place in which work is carried on. No draught shall be deemed efficient which fails to remove smoke generated at the point where such gas, vapour, fume or dust originate.

(b) "Lead compound" means any compound of lead other than galena which when treated in the manner described below yields to an aqueous solution of hydrochloric acid a quantity of soluble lead compound exceeding, when calculated as lead monoxide five per cent. of the dry weight of the portion taken for analysis.

The method of treatment shall be as follows:—

A weight quantity of the material which has been dried at 100°C. and thoroughly mixed shall be continuously, shaken for one hour, at the common temperature with 1,000 times its weight of an aqueous solution of hydrochloric acid containing 0.25 per cent. by weight of hydrogen chloride. This solution shall thereafter be allowed to stand for one hour and then filtered. The lead salt contained in the clear filtrate shall then be precipitated as lead sulphide and weighted as lead sulphate.

(c) "Suspension" means suspension from employment in any process specified in paragraph 3 by written certificate in the Health Register, Form No. 17, signed by the Certifying Surgeon who shall have power of suspension as regards all persons employed in any such process.

3. *Exhaust draught.*—The following process shall not be carried on except under an efficient exhausted draught or under such other conditions as may be approved by the Chief Inspector:—

(a) The mixing of raw materials to form a "batch".

(b) The dry grinding, glazing and polishing of glass or any article of glass.

(c) All processes in which hydrofluoric acid fumes or ammonia vapours are given off.

(d) All processes in the making of furnace moulds or "pots" including the grinding or crushing of used "pots".

(e) All processes involving the use of a dry lead compound.

4. *Prohibition relating to women and young persons.*—No woman or young person shall be employed or permitted to work in any of the operations specified in paragraph 3 or at any place where such operations are carried on.

5. *Floors and work-benches.*—The floor and work-benches of every room in which a dry compound of lead is manipulated or in which any process is carried on giving off silica dust shall be kept moist and shall comply with the following requirements:—

The floors shall be—

(a) of cement or similar material so as to be smooth and impervious to water;

(b) maintained in sound condition; and

(c) cleansed daily after being thoroughly spread with water at a time when no other work is being carried on in the room.

The work-benches shall—

(a) have a smooth surface and be maintained in sound condition, and

(b) be-cleansed daily either after being thoroughly damped or by means of a suction cleaning apparatus at a time when no other work is being carried on threat.

6. *Use of Hydrofluoric Acid.*—The following provisions shall apply to rooms in which glass is treated with hydrofluoric acid:—

(a) There shall be inlets and outlets of adequate size so as to secure and maintain efficient ventilation in all parts of the room;

(b) The floor shall be covered with guttaparcha and be tight and shall gently down to a covered drain;

(c) The work places shall be so enclosed in projecting hoods that openings required for bringing in the objects to be treated shall be as small as practicable; and

(d) The efficient exhaust draught shall be so contrived that the gases are exhausted downwards.

7. *Storage and transport of Hydrofluoric Acid.*—Hydrofluoric acid shall not be stored or transported except in cylinders or receptacles made of lead or rubber.

8. "Blow-pipes.—Every glass blower shall be provided with a separate blow-pipe bearing the distinguishing mark of the person to whom it is issued and suitable facilities shall be readily available to every glass blower for sterilising his blow-pipe..."

9. *Food, drinks etc., prohibited in work-rooms.*—No food, drink, pan and supari or tobacco shall be brought into or consumed by any worker in any room or work-place wherein any process specified in paragraph 3 is carried on.

10. *Protective clothing.*—The occupier shall provide, maintain in good repair and keep in a clean condition for the use of all persons employed in the process specified in paragraph 3 suitable protective clothing footwear and goggles according to the nature of the work and such clothing footwear, etc., shall be worn by the persons concerned.

11. *Washing facilities.*—There shall be provided and maintained in a cleanly state and in good repair for the use of all persons employed in the process specified in paragraph 3—

(a) a wash place with either—

(i) a trough with a smooth impervious surface fitted with a waste pipe, without plug, and of sufficient length to allow of at least two feet for every five such persons employed at any one time and having a constant supply of water from taps or jets above the trough at intervals of not more than 2 feet; or

(ii) at least one wash-basin for every five such persons employed at any one time, fitted with a waste pipe and plug and having an adequate supply of water laid on or always readily available; and

(b) a sufficient supply of clean towels made of suitable material renewed daily with a sufficient supply of soap or other suitable cleansing material and of nail brushes; and

(c) a sufficient number of stand pipes with taps—the number and location of such stand pipes shall be to the satisfaction of the Chief Inspector.

12. *Medical Examination.*—(a) Every person employed in any process specified in paragraph 3 shall be examined by the Certifying Surgeon within seven days preceding of following the date of his first employment in such process and thereafter shall be examined by the Certifying Surgeon once in every calendar month or at such other intervals as may be specified in writing by the Chief Inspector on a day of which due notice shall be given to all concerned.

(b) A Health Register in Form No. 19 containing the names of all persons employed in any process specified in paragraph 3 shall be kept.

(c) No person after suspension shall be employed in any process specified in paragraph 3 without written sanction from the Certifying Surgeon entered in or attached to the Health Register.

## SCHEDULE V.

*(Grinding or Glazing of Metals and Processes  
Incidental Thereto.)*

**1. Definitions.**—For the purposes of this Schedule—

(a) "Grindstone" means a grindstone composed of natural or manufactured sandstone but does not include a metal wheel or cylinder into which block of natural or manufactured sandstone are fitted.

(b) "Abrasive wheel" means a wheel manufactured of bonded emery or similar abrasive.

(c) "Grinding" means the abrasion, by aid of mechanical power, of metal, by means of a grindstone or abrasive wheel.

(d) "Glazing" means the abrading, polishing or finishing, by aid of mechanical power, of metal, by means of any wheel, buff, *mop* or similar appliance to which any abrading or polishing substance is attached or applied.

(e) "Racing" means the turning up, cutting or dressing of a revolving grindstone before it is brought into use for the first time.

(f) "Hacking" means the chipping of the surface of a grindstone by a hack or similar tool.

(g) "Rodding" means the dressing of the surface of a revolving grindstone by the application of a rod, bar or strip of metal to such surface.

**2. Exceptions.**—(1) Nothing in this Schedule shall apply to any factory in which only repairs are carried on except any part thereof in which one or more persons are wholly or mainly employed in the grinding or glazing of metals.

(2) Nothing in this Schedule except paragraph 4 shall apply to any grinding or glazing of metals carried on intermittently and at which no person is employed for more than 12 hours in any week.

(3) The Chief Inspector may by certificate in writing, subject to such conditions as he may specify therein, relax or suspend any of the provisions of this Schedule in respect of any factory if owing to the special methods of work or otherwise such relaxation or suspension is practicable without danger to the health or safety of the persons employed.

**3. Equipment for removal of dust.**—No racing, dry grinding or glazing shall be performed without—

(a) a hood or other appliance so constructed, arranged, placed and maintained as substantially to intercept the dust thrown off; and

(b) a duct of adequate size, air tight and so arranged as to be capable of carrying away the dust, which duct shall be kept free from obstruction and shall be provided with proper means of access for inspection and cleaning, and where practicable, with a connection at the end remote from the fan to

enable the Inspector to attach thereto any instrument necessary for ascertaining the pressure of air in the said duct; and

(c) a fan or other efficient means of producing a draught sufficient to extract the dust.

Provided that the Chief Inspector, may accept any other appliance that is, in his opinion, as effectual for the interception, removal and disposal of dust thrown off as a hood, duct and fan would be.

4. *Restriction on employment on grinding operations.*—Not more than one person shall at any time perform the actual process of grinding or glazing upon a grindstone, abrasive wheel or glazing appliance:

Provided that this paragraph shall not prohibit the employment of persons to assist in the manipulation of heavy or bulky articles at any such grindstone, abrasive wheel or glazing appliance.

5. *Glazing.*—Glazing or other processes, except processes incidental to wet grinding upon a grindstone shall not be carried on in any room in which wet grinding upon a grindstone is done.

6. *Hacking and rodding.*—Hacking or rodding shall not be done unless during the process either (a) an adequate supply of water is laid on at the upper surface of the grindstone or (b) adequate appliances for the interception of dust are provided in accordance with the requirements of paragraph 3.

7. *Examination of dust equipment.*—(a) All equipment for the extraction or suppression of dust shall at least once in every six months be examined and tested by a competent person, and any defect disclosed by such examination and test shall be rectified as soon as practicable.

(b) A register containing particulars of such examination and test shall be kept in a form approved by the Chief Inspector.

#### SCHEDULE VI.

*(Manufacture and treatment of lead and certain compounds of lead)*

1. *Exemptions.*—Where the Chief Inspector is satisfied that all or any of the provisions of this Schedule are not necessary for the protection of the persons employed, he may by certificate in writing exempt any factory from all or any of such provisions, subject to such conditions as he may specify therein.

2. *Definitions.*—For the purposes of this Schedule,—

(a) "Lead Compound" means any compound of lead other than galena which, when treated in the manner described below, yields to an aqueous solution of hydrochloric acid, a quantity of soluble lead compound exceeding, when calculated as lead monoxide, five per cent. of the dry weight of the portion taken for analysis. In the case of paints and similar products and other mixtures containing oil or fat the "dry weight" means the dry weight of the material remaining after the substance has been thoroughly mixed and treated with suitable solvents to remove oil, fats, varnish or other media.

The method of treatment shall be as follows:-

A weighted quantity of the material which has been dried at 100°C and thoroughly mixed shall be continuously shaken for one hour, at the common temperature with 1,000 times its weight of an aqueous solution of hydrochloric acid containing 0.25 per cent. by weight of hydrogen chloride. This solution shall thereafter be allowed to stand for one hour and then filtered. The lead salt contained in the clear filtrate shall then be precipitated as lead sulphide and weighed as lead sulphate.

(b) "Efficient Exhaust draught" means localised ventilation affected by heat or mechanical means, for the removal of gas, vapour, dust or fumes so as to prevent them (as far as practicable under the atmospheric conditions usually prevailing) from escaping into the air of any place in which work is carried on. No draught shall be deemed efficient which fails to remove smoke generated at the point where such gas, vapour, fumes or dust originate.

3. *Application.*—This Schedule shall apply all factories or parts of factories in which any of the following operations are carried on:—

(a) Work at a furnace where the reduction or treatment of zinc or lead ores is carried on.

(b) The manipulation, treatment or reduction of ashes containing lead, the desilverising of lead or the melting of scrap lead or zinc,

(c) The manufacture of solder or alloys containing more than ten per cent. of lead.

(d) The manufacture of any oxide, carbonate, sulphate, chromate, acetate, nitrate or silicate of lead.

(e) Handling or mixing of lead tetra-ethyl.

(f) Any other operation involving the use of a lead compound.

(g) The cleaning of work-rooms where any of the operations aforesaid are carried on.

4. *Prohibition relating to women and young person.*—No woman or young person shall be employed or permitted to work in any of the operations specified in paragraph 3.

5. *Requirements to be observed.*—No person shall be employed or permitted to work in any process involving the use of lead compounds if the process is such that dust or fume from a lead compound is produced therein, or the persons employed therein are liable to be splashed with any lead compound in the course of their employment unless the provisions of paragraphs 6 to 14 are complied with.

6. *Exhaust draught.*—Where dust, fume, gas or vapour is produced in the process, provision shall be made for removing them by means of an efficient exhaust draught so contrived as to operate

on the dust, fume, gas or vapour as closely as possible to the point of origin.

7. *Certificate of fitness.*—A person Medically examined under Paragraph 8 and found fit for employment shall be granted by a Certifying Surgeon a certificate of fitness in Form No. 30 and such certificate shall be in the custody of the Manager of the factory. The certificate shall be kept readily available for inspection by any Inspector and the person granted such a certificate shall carry with him, while at work, a token giving reference to such certificate.

8. *Medical Examination.*—(1) The person so employed shall be medically examined by a Certifying Surgeon within 14 days of his first employment in such process and thereafter shall be examined by the Certifying Surgeon at intervals of not more than three months, and a record of such examinations shall be entered by the Certifying Surgeon in the special certificate of fitness granted under paragraph 7.

(2) If at any time the Certifying Surgeon is of opinion that any person is no longer fit for employment on the grounds that continuance therein would involve special danger to health, he shall cancel the special certificate of fitness of that person.

(3) No person whose special certificate of fitness has been cancelled shall be employed unless the Certifying Surgeon, after re-examination, again certifies him to be fit for employment.

9. *Food, drinks etc. prohibited in works-rooms*—No food, drink, pan and supari or tobacco shall be brought into or consumed by any worker in any work-room in which the process is carried on and no person shall remain in any such room during intervals for meals or rest.

10. *Protective clothing.*—Suitable protective overalls and head coverings shall be provided, maintained and kept clean by the factory occupier and such overalls and head covering shall be worn by the person employed.

11. *Cleanliness of work-rooms, tools etc.*—The rooms in which the persons are employed and all tools and apparatus used by them shall be kept in a clean state.

12. *Washing facilities.*—(1) The occupier shall provide and maintain for the use of all persons employed suitable washing facilities consisting of—

(a) trough with a smooth impervious surface fitted with a waste pipe without plug and of sufficient length to allow at least two feet for every ten persons employed at any one time, and having a constant supply of clean water from taps or jets above the trough at intervals of not more than two feet; or

(b) at least one wash-basin for every ten persons employed at any one time, fitted with a waste-pipe and plug and having a constant supply of clean water;

together with, in either case, a sufficient supply of nail brushes, soap or other suitable cleansing material and clean towels.

(2) The facilities so provided shall be placed under the charge of a responsible person and shall be kept clean.

13. *Mess-room or Canteen*.—The occupier shall provide and maintain for the use of the persons employed suitable and adequate arrangements for taking their meals. The arrangements shall consist of the use of a room separate from any work room which shall be furnished with sufficient tables and benches, and unless a canteen serving hot meals is provided, adequate means of warming food. The room shall be adequately ventilated by the circulation of fresh air, shall be placed under the charge of a responsible person and shall be kept clean.

14. *Cloak-room*.—The occupier shall provide and maintain for the use of persons employed, suitable accommodation for clothing not worn during working hours, and for the drying of wet clothing.

#### SCHEDULE VII.

##### *(Generating petrolgas from petrol).*

1. *Prohibition relating to women and young persons*.—No woman or young person shall be employed or permitted to work in or shall be allowed to enter any building in which the generating of petrol gas from petrol is carried on.

2. *Flame traps*.—The plant for generating petrol gas from petrol and associated piping and fittings shall be fitted with at least two efficient flame traps so designed and maintained as to prevent a flash back from any burner to the plant. One of these traps shall be fitted as close to the plant as possible. The plant and all pipes and valves shall be installed and maintained free from leaks.

3. *Generating building or room*.—All plants for generating petrol gas from petrol erected after the coming into force of the provisions specified in this Schedule, shall be erected outside the factory building proper in a separate well ventilated building (hereinafter referred to as the "generating building"). In the case of such plant erected before the coming into force of the provisions specified in this Schedule there shall be no direct communication between the room where such plants are erected (hereinafter referred to as "the generating room") and the remainder of the factory building. So far as practicable, all such generating rooms shall be constructed of fire-resisting materials.

4. *Fire extinguishers*.—An efficient means of extinguishing petrol fires shall be maintained in an easily accessible position near the plant for generating petrol gas from petrol.

5. *Plant to be approved by Chief Inspector*.—Petrol gas shall not be manufactured except in a plant for generating petrol gas the design and construction of which has been approved by the Chief Inspector.

6. *Escape of petrol*.—Effective steps shall be taken to prevent petrol from escaping into any drain or sewer.

7. *Prohibition relating to smoking*.—No person shall smoke or carry matches, fire or naked light or other means of producing a

naked light or spark in the generating room or building or in the vicinity thereof and a warning notice in the language understood by the majority of the workers shall be posted in the factory prohibiting smoking and the carrying of matches, fire or naked light or other means of producing a naked light or spark into such room or building.

8. *Access to petrol or container.*—No unauthorised person shall have access to any petrol or to a vessel containing or having actually contained petrol.

9. *Electric fittings.*—All electric fittings shall be of flame-proof construction and all electric conductors shall either be enclosed in metal conducts or be lead-sheathed.

10. *Construction of doors.*—All doors in the generating room or building shall be constructed to open outwards or to slide and no door shall be locked or obstructed or fastened in such a manner that it cannot be easily and immediately opened from the inside while gas is being generated and any person is working in the generating room or building.

11. *Repair of containers.*—No vessel that has contained petrol shall be repaired in a generating room or building and no repairs to any such vessel shall be undertaken unless live steam has been blown into the vessel and until the interior is thoroughly steamed out or other equally effective steps have been taken to ensure that it has been rendered free from petrol or inflammable vapour.

#### SCHEDULE VIII.

(*Cleaning or smoothing of articles by a jet of sand, metal shot or grit or other abrasive propelled by a blast of compressed air or steam*)

1. *Definition.*—For the purposes of this Schedule 'Sand blasting' means the blasting of any articles by a jet of sand, metal shot, grit or other abrasive.

2. *Sand blasting to be done in enclosed chamber.*—Sand blasting shall not be done in any room except in an enclosed chamber or cabinet in which no other work is performed and at which efficient means are provided, arranged and maintained to prevent the escape of dust to the outside of such chamber or cabinet.

3. *Prohibition relating to employment of woman and young persons.*—No woman or young person shall be employed or permitted to work at any operation of sand blasting.

4. *Protective equipment.*—(1) Unless he is wearing a suitable protective helmet and gauntlets;

(a) no person shall be employed or permitted to work at blasting in the open air or work within thirty feet of sand blasting apparatus in operation in the open air; and

(b) no person shall be employed or permitted to work or allowed in a sand blasting chamber whilst the sand blasting apparatus is in operation.

(2) The occupier of the factory shall provide and maintain in good condition all helmets, overalls and gauntlets that are necessary to comply with the requirements of this Schedule.

(3) Every protective helmet shall carry the distinguishing mark of the person by whom it is to be used and shall be provided with a sufficient supply of pure air for breathing and ventilation, together with suitable arrangements to permit the escape of the expired air.

(4) No person shall wear a protective helmet that has been worn by another person unless such protective helmet shall have been thoroughly disinfected.

(5) All persons engaged in sand blasting while at work shall wear the protective equipment provided under the provisions of this paragraph.

#### SCHEDULE IX,

*(Liming and tanning of raw hides and skinning and Processes incidental thereto.)*

1. *Cautionary notices.*—(1) Cautionary notices as to anthrax in the form specified by the Chief Inspector shall be affixed in prominent position in the factory where they may be easily and conveniently read by the persons employed.

(2) A copy of a warning notice as to anthrax in the form specified by the Chief Inspector shall be given to each person employed when he is engaged, and subsequently if still employed, on the first day of each calendar year.

(3) Cautionary notices as to the effects of chrome on the skin shall be affixed in prominent positions in every factory in which chrome solutions are used and such notices shall be so placed as to be easily and conveniently read by the persons employed.

(4) Notices shall be affixed in prominent places in the factory stating the position of the "First-Aid" box or cupboard and the name of the person in charge of such box or cupboard.

(5) If any person employed in the factory is illiterate, effective steps shall be taken to explain carefully to such illiterate person the contents of the notice specified in sub-paragraphs 1, 2 and 4 and if chrome solution are used in the factory, the contents of the notice specified in sub-paragraph 3.

2. *Protective clothing.*—The occupier shall provide and maintain in good condition the following articles of protective clothing:—

(a) Water-proof footwear, leg coverings, aprons and rubber gloves for persons employed in processes involving contact with chrome solutions including the preparation of such solutions;

(b) protective footwear, aprons and gloves for persons employed in the handling of hides or skins other than in processes specified in clause (a):

Provided that gloves shall not be required for persons fleshing by hand or where there is no risk of contact with lime, sodium sulphide or other caustic liquor.

(a) a trough with a smooth impervious surface fitted with be provided and maintained in a cleanly state and in good repair for the use of all persons employed—

(a) a trough with a smooth impervious surface fitted with a waste pipe without plug, and of sufficient length to allow of at least two feet for every ten persons employed at any one time, and having a constant supply of water from taps or jets above the trough at intervals of not more than two feet; or

(b) at least one wash-basin for every ten such persons employed at any one time, fitted with a waste pipe and plug and having a constant supply of water; together with, in either case, a sufficient supply of nail brushes, soap or other suitable cleansing material, and clean towels;

(c) a suitable mess-room, adequate for the number remaining on the premises during the meal intervals, which shall be furnished with (1) sufficient tables and benches and (2) adequate means for warming food and for boiling water.

The mess-room shall (1) be separate from any room or shed in which hides or skins are stored, treated or manipulated, (2) be separate from the cloak-room and (3) be placed under the charge of a responsible person:

(d) suitable accommodation for clothing not worn during working hours with adequate arrangements for drying the clothing if wet. The accommodation so provided shall be placed under the charge of a responsible person.

4. *Food, drinks etc. prohibited in work-rooms.*—No food, drink, pan and supari or tobacco shall be brought into or consumed by any worker in any work-room or shed in which hides or skins are stored, treated or manipulated.

5. *First aid arrangements.*—The occupier shall—

(a) arrange for an inspection of the hands of all persons coming into contact with chrome solutions to be made twice a week by a responsible person;

(b) provide and maintain a sufficient supply of suitable ointment and impermeable water-proof plaster in a box readily accessible to the worker and used solely for the purpose of keeping the ointment and plaster.

#### *Rule prescribed under section 88.*

101. *Notification of accidents.*—(1) When any accident or occurrence specified in the Schedule takes place in a factory, the manager of the factory shall forthwith send notice therof by telephone, special messenger or telegram to the Inspector and if the accident is fatal or of such a serious nature that it is likely to prove fatal, notice as aforesaid shall also be sent to,—

- (a) the District Magistrate or Sub-Divisional Officer;
- (b) the Officer-in-charge of the nearest police station; and
- (c) to the relative of the injured or deceased person.

(2) The notice so given shall be confirmed by the Manager of the factory to the above mentioned authorities within 12 hours of the occurrence by sending to them a written report in the prescribed Form No. 20.

*Notes*

This rule has been framed for the purposes of section 88 of the Act which requires notice of certain accidents.

**SCHEDULE.**

## 1. Accidents which cause—

(a) death to any person;

(b) such bodily injury as prevents or will probably prevent the person injured from working for a period of 48 hours immediately following the accident.

## 2. The following classes of occurrences, whether or not they are attended by personal injury or disablement:—

(a) Bursting of a vessel used for containing steam under pressure greater than atmospheric pressure other than plant which comes within the scope of the Indian Boiler Act.

(b) Collapse or failure of a crane, derrick winch, hoist or other appliances used in raising or lowering persons or goods, or any part thereof, or the overturning of a crane.

(c) Explosion or fire causing damage to any room or place in which persons are employed, or fire in rooms of cotton pressing factories when a cotton opener is in use.

(d) Explosion of a receiver or container used for the storage at a pressure greater than atmospheric pressure of any gas or gases (including air) or any liquid or solid resulting from the compression of gas.

(e) Collapse or subsidence of any floor, gallery, roof, bridge tunnel, chimney, wall or building forming part of a factory or within the compound or curtilage of factory.

*Rule prescribed under sub-section (1) of section 89.*

102. *Notice of poisoning or disease.*—A notice in Form No. 19 should be sent forthwith both to the Chief Inspector and to the Certifying Surgeon, by the Manager of a factory in which there occurs a case of lead, phosphorus, mercury, manganese, arsenic, carbon bisulphide or benzene poisoning; or poisoning by nitrous fumes, or by halogens or halogen derivatives of the hydrocarbons of the aliphatic series; or of chrome ulceration, anthrax, silicosis, toxic anaemia, toxic jaundice, primary epitheliomatous cancer of the skin or pathological manifestations due to radium or other radio-active substances of X-rays

*Notes*

The rule prescribes the form and manner of notice of certain diseases as required under section 89 of the Act.

**CHAPTER X.  
(Supplemental)***Rule prescribed under sub-section (1) of section 107.*

103. *Procedure in appeals.*—(1) An appeal presented under section 107 shall lie to the Chief Inspector, or in cases where the order appealed against is an order passed by that officer, to the State Government or to such authority as the State Government may appoint in this behalf and shall be in the form of a memorandum

setting forth concisely the grounds of objection to the order and bearing Court-fees stamp in accordance with Article 11 of Schedule II to the Court-fees Act, 1870, and shall be accompanied by a copy of the order appealed against.

(2) *Appointment of assessors.*—On receipt of the memorandum of appeal, the appellate authority shall, if it thinks fit or if the appellant has requested that the appeal should be heard with the aid of assessors, call upon the body declared under sub rule (3) to be representative of the industry concerned, to appoint an assessor within a period of 14 days. If an assessor is nominated by such body, the appellate authority shall appoint a second assessor itself. It shall then fix a date for the hearing of the appeal and shall give due notice of such date to the appellant and to the Inspector whose order is appealed against, and shall call upon the two assessors to appear upon such date to assist in the hearing of the appeal.

(3) The appellant shall state in the memorandum presented under sub rule (1) whether he is a member of one or more of the following bodies. The body empowered to appoint the assessor shall,—

- (a) if the appellant is a member of one of such bodies, be that body;
- (b) if he is a member of two such bodies, be the body which the appellant desires should appoint such assessor, and
- (c) if the appellant is not a member of any of the aforesaid bodies or if he does not state in the memorandum which of such bodies he desires should appoint the assessor, be the body which the appellant authority considers as the best fitted to represent the industry concerned.

- 1.....
- 2 .....
- 3 .....
- 4 .....

(4) *Remuneration of assessors.*—An assessor appointed in accordance with the provisions of sub-rules 2 and 3 shall receive, for the hearing of the appeal, a fee to be fixed by the appellate authority, subject to a maximum of fifty rupees per diem. He shall also receive the actual travelling expenses. The fees and travelling expenses shall be paid to the assessors by Government; but where assessors have been appointed at the request of the appellant and the appeal has been decided wholly or partly against him the appellate authority may direct that the fees and travelling expenses of the assessors shall be paid in whole or in part by the appellant.

#### *Notes*

Rule intends to meet the requirements of section 107 of the Act reading as under:

(1) The manager of a factory on whom an order in writing by an Inspector has been served under the provisions of this Act or the occupier of the factory may, within thirty days of the service of the order, appeal against it to the prescribed

authority, and such authority may, subject to rules made in this behalf by the State Government, confirm, modify or reverse the order.

(2) Subject to rules made in this behalf by the State Government (which may prescribe classes of appeals which shall not be heard with the aid of assessors), the appellate authority may, or if so required in the petition of appeal shall, hear the appeal with the aid of assessors, one of whom shall be appointed by the appellate authority and the other by such body representing the industry concerned as may be prescribed:

Provided that if no assessor is appointed by such body before the time fixed for hearing the appeal, or if the assessor so appointed fails to attend the hearing at such time, the appellate authority may, unless satisfied that the failure to attend is due to sufficient cause, proceed to hear the appeal without the aid of such assessor or, if it thinks fit, without the aid of any assessor.

(3) Subject to such rules as the State Government may make in this behalf and subject to such conditions as to partial compliance or the adoption of temporary measures as the appellate authority may in any case think fit to impose, the appellate authority may, if it thinks fit, suspend the order appealed against pending the decision of the appeal.

#### **Rule prescribed under sub-section (i) of section 108**

104. *Display of notices*—The abstract of the Act and of the Rules required to be displayed in every factory shall be in Form No. 22

#### **Rule prescribed under section 110**

105. *Returns*.—The Manager of every factory shall furnish to the Inspector or other officer appointed by the State Government in this behalf the following returns, namely:—

(1) *Annual return*.—On or before the 15th January of each year, an annual return, in duplicate, in Form No. 23.

(2) *Annual return of holidays*.—Before the end of each year, a return giving notice of all the days on which it is intended to close the factory during the next ensuing year. This return shall be submitted whether the factory is or is not working during the year preceding the year to which the return relates :

Provided that the State Government may dispense with this return in the case of any specified factory or of any class of factories or of factories in any particular area:

Provided further that the annual return of holidays shall be dispensed with in case of all factories—

- (a) which regularly observe Sunday as holidays, or
- (b) which regularly observe a fixed day in the week as a holiday, or

- (c) which observe holidays according to a list approved by the Chief Inspector:

Provided, further, that where the Manager of any factory makes any departure from such a holiday or list of holidays as aforesaid, prior intimation shall be given to the Chief Inspector.

(3) *Half-yearly return*.—The Manager of every factory shall furnish to the Chief Inspector on or before the 15th July and 15th January of each year, a half-yearly return in duplicate in Form No. 24.

(4) *Leave with wages—Annual return.*—The manager of every factory shall furnish to the Chief Inspector, not later than the 1st February of the year subsequent to that to which it relates, a return in Form No. 25.

(5) *Compensatory holidays—Annual return.*—The manager of every factory shall furnish to the Chief Inspector, not later than the 1st February of the year subsequent to that to which it relates, a return in Form No. 26:

Provided further that in the case of a factory in which work is carried on only during certain period or periods of the year the Manager shall, if so required by the State Government or if the State Government so directs, through the Chief Inspector of factories, submit the annual or half yearly returns as the case may be within 15 days, after the close of the period or also close of the last of these periods in the year as the case may be.

(6) *Accidents—Annual return.*—The Manager of every factory shall furnish to the Chief Inspector of Factories, not later than 1st February of the year subsequent to that to which it relates, a return in the Form No. 27.

(7) *Canteen—Annual returns.*—The manager of every factory, wherein more than two hundred and fifty workers are ordinarily employed and providing a canteen shall furnish to the Chief Inspector not later than 1st February of the year subsequent to that to which it relates, a return in Form No. 32.

(8) *Creche—Annual return.*—The Manager of every factory wherein more than fifty women workers are ordinarily employed and providing a creche shall furnish to the Chief Inspector, not later than 1st February of the year subsequent to that to which it relates, a return in Form No. 33.

(9) *Shelters, Rest Rooms and Lunch Rooms—Annual Return.*—The Manager of every factory, wherein more than one hundred and fifty workers are ordinarily employed and providing shelters, Rest Rooms and Lunch Rooms shall furnish to the Chief Inspector not later than 1st February of the year subsequent to that to which it relates, a return in Form No. 34.

#### *Notes*

This rule has been framed in exercise of the powers conferred by section 110 of the Act which provides that—

The State Government may make rules requiring owners, occupiers or managers of factories to submit such returns occasional or periodical, as may in its opinion be required for the purposes of this Act.

#### *Rule prescribed under section 109.*

106. *Service of notices.*—The despatch by post under registered cover of any notice or order shall be deemed sufficient service on the occupier, owner or manager of a factory of such notice or order

*Rules 107 to 110 prescribed under section 112.*

#### *Notes*

The rules 107 to 111 have been framed in pursuance of the general rule making power vested in State Government under section 112 of the Act.

**107. Information required by the Inspector.**—The occupier, owner or manager of a factory shall furnish any information that an Inspector may require for the purpose of satisfying himself whether any provision of the Act has been complied with or whether any order of an Inspector has been duly carried out. Any demand by an Inspector for any such information, if made, during the course of an inspection, shall be complied with forth with if the information is available in the factory, or, if made in writing, shall be complied with within seven days of receipt thereof.

**108. Muster-roll.**—The Manager of every factory shall maintain a muster-roll of all the workers employed in the factory in Form No. 28 showing (a) the name of each worker, (b) the nature of his work and (c) the daily attendance of the worker:

Provided that, if the daily attendance is noted in the Register of Adult Workers in Form No. 13 or the particulars required under this Rule are noted in any other register a separate muster-roll required under this Rule need not be maintained.

**109. Register of accidents and dangerous occurrences.**—The manager of every factory shall maintain a Register of all accidents and dangerous occurrences which occur in the Factory in Form No. 26 showing the—

- (a) Name of injured person (if any).
- (b) Date of accident or dangerous occurrence.
- (c) Date of report on Form No. 18 to Inspector.
- (d) Nature of accident or dangerous occurrence.
- (e) Date of return of injured person to work.
- (f) Number of days of absence from work of injured person.

**110. Maintenances of Inspection Book:**—(i) The manager of every factory shall maintain a bond in Inspection Book in form 34 of the size  $13\frac{1}{2} \times 8\frac{1}{2}$ " and shall produce it when so required by the Inspector or certifying Surgeon.

(ii) The Inspection Book shall contain at least 180 pages, every third page thereof shall be consecutively numbered and the other two numbered pages between each two consecutively numbered pages shall have a vertical perforated straight line on the margin side at a margin of 1".

(iii) In case the Inspection Book containing remarks passed by the Inspector or certifying Surgeon is lost, the manager of the factory shall forth with report in writing the loss of the Inspection Book to the Inspector in charge of the area and immediately maintain a new Inspection Book.

The Manager shall obtain as early as possible copies of all available remarks from the factory inspection office concerned on payment of necessary copying charges.

#### *Notes*

This rule stands as substituted by the second notification. The Form No. 34 appended with these rules has been newly added, for the purposes of this rule by the second notification.

111. *Notices of closure.*—The occupier or the Manager of every factory shall report to the Inspector any intended closure of the factory or any section or department thereof immediately it is decided to do so, intimating the reason for the closure, the number of workers on the register on the date of report, the number of workers likely to be affected by the closure and the probable period of the closure. An intimation should also be sent to the Inspector as soon as the factory or the section or the department of the factory as the case may be, starts working again.

By Order of  
His Highness the Rajpramukh,  
**CHANDRAPAL SINGH,**  
*Secretary to the Government.*

### FORM No. 1.

(Prescribed under Rule 3).

### APPLICATION FOR PERMISSION TO CONSTRUCT, EXTEND OR TAKE INTO USE ANY BUILDING AS A FACTORY

- |   |       |
|---|-------|
| 1. Applicant's Name .....                           | ..... |
| Applicant's Calling .....                           | ..... |
| Applicant's Address .....                           | ..... |
| 2. Full name and postal address of<br>factory ..... | ..... |
| 3. Situation of the factory—<br>Province .....      | ..... |
| District .....                                      | ..... |
| Town or Village .....                               | ..... |
| Nearest Police Station .....                        | ..... |
| Nearest Railway Station or Steamer<br>Ghat .....    | ..... |
| 4. Particulars of plant to be installed...          | ..... |

Signature of Applicant .....

Date .....

*Note :-* This application shall be accompanied by the following documents :—

- (a) A flow chart of the manufacturing process supplemented by a brief description of the process in its various stages;
- (b) Plans, in duplicate, drawn to scale, showing—
  - (i) the site of the factory and immediate surroundings including adjacent buildings and other structures, roads, drains, etc., and
  - (ii) the plan elevation and necessary cross-sections of the various buildings, indicating all relevant details relating to natural lighting, ventilation and means of escape in case of fire. The plans shall also clearly indicate the position of the plant and machinery, aisles and passage ways, and

(c) Such other particulars as the Chief Inspector may require.

### FORM No. 2

(Prescribed under Rule 4)

Application for Registration and grant or renewal of licences  
for the year ..... and notice of occupation specified in sections  
6 and 7 (to be submitted in triplicate).

1. Full name of the factory with factory licence No. if already registered from before.....
2. (a) Full postal address and situation of the factory.....  
(b) Full address to which communications relating to the factory should be sent.....
3. Nature of Mfg. process/processes.  
(a) Carried on in the factory during the last twelve months (in the case of factories already in existence).  
(b) To be carried on in the factory during the next twelve months. ( in case of all factories ).....
4. Names and values of principal products manufactured during the last 12 months.....
5. (I) Maximum number of workers proposed to be employed on any day during the year.....  
(2) Maximum number of workers employed on any one day during the last 12 months .....
5. (3) Number of workers to be ordinarily employed in the factory .....
6. (I) Nature and total amount of power (H.P.) installed or proposed to be installed.  
(II) Maximum amount of power (H.P.) proposed to be used .....
7. Full name and residential address of the person who shall be the manager of the factory for the purposes of the Act. ....
8. Full name and residential address of the occupier—  
(I) The proprietor of the factory in case of private firms/ proprietary concern.....  
(II) Directors in case of public limited liability/firm.  
(III) Where a Managing Agent has been appointed, the name of the Managing Agents and the Directors thereof.....  
(IV) Share holders in case of a private company where no Managing Agents have been appointed.....  
(V) The Chief Administrative Head in case of a Government or Local Fund Factory.....
9. Full name and address of the owner of the premises or building (including the precincts thereof) referred to in section 93.....
10. In the case of a factory constructed or extended after the date of the commencement of the Rules—  
(a) Reference No. and date of approval of the plans for site whether for old or new building and for construction or extension of factory by the State Government/ Chief Inspector.....  
(b) Reference number and date of approval of the arrangements, if any, made for the disposal of trade waste

- and effluents and name of the authority granting such approval.....
11. Amount of fee Rs .....(Rupees .....)  
 (I) Paid in ..... Treasury on .....  
 vide challan No.....(enclosed)  
 (II) Transmitted by Crossed Cheque No.....dated.....

### POSTAL ORDER

On the ..... Bank drawn in favour of the Chief  
 of the ..... Post Office  
 Inspector of Factories.

*Signature of Occupier.....*

*Dated .....*

*Signature of Manager.....*

*Dated .....*

- Notes :-*
1. This form should be completed in ink in block letters or typed.
  2. If power is not used at the time of filling up this form but introduced later, the fact should be communicated to the Chief Inspector immediately.
  3. If any of the persons named against item 8 is minor the fact should be clearly stated.
  4. In the case of a factory, where under the proviso to sub-sections (1) and (2) of section 100, a person has been nominated as the occupier, information required in item 8 should be supplied only in respect of that person.
  5. In the case of a factory where a Managing Agent or Agents have been appointed as occupier under the Indian Companies Act, 1913 (VII of 1913) information required in item 8 should be supplied only in respect of that person or persons.

### FORM No. 4.

(Prescribed under Rule 5).

### REGISTRATION AND LICENCE TO WORK A FACTORY.

Registration No..... Fee Rs.....

Serial No.....

Licence is hereby granted to.....

..... valid only for the premises described below  
 for use as a factory employing not more than ..... persons  
 on any one day during the year and using motive power not exceeding..... H.P., subject to the provisions of the Factories Act, 1948, and the Rules made thereunder.

This licence shall remain in force till the 31st day of December, 19.....

The ..... 19 Chief Inspector of Factories.  
 Description of the licensed premises.

The licensed premises shown on Plan No ..... dated.....  
 are situated in ..... and consist of.....

Date of renewal	Date of expiry.	Signature of licensing authority
-----------------	-----------------	----------------------------------

**FORM No. 5**

(Prescribed under Rule 14)

**CERTIFICATE OF FITNESS**

1. Serial No.....	Serial No .....
Date.....	Date .....
2. Name.....	I certify that I have personally
3. Father's name .....	examined (name).....
4. Sex.....	son/daughter of.....
5. Residence.....	residing at.....
6. Age certified.....	who is desirous of being emplo-
7. Physical fitness .....	yed in a factory, and that his/her
8. Descriptive marks.....	age, as nearly as can be ascertained
9. Reason for—	from my examination, is....
(1) Refusal of certificate.....	.....years, and that he/she is
(2) Certificate being revoked....	fit for employment in factory as
	an adult/child.
	His/Her descriptive marks are--
Thumb impression	Thumb impression
Initials of Certifying Surgeon.	Certifying Surgeon.

NOTE—Exact details of cause of physical disability should be clearly stated.

**FORM No.6**

(Prescribed under Rule 22)

**HUMIDITY REGISTER**

Department.....

Hygrometer { Distinctive mark or number.....  
 Position in department.....

Date, Year, Month, Day	Readings of Hygrometers.						REMARK
	Between 7 and 9 a. m.		Between 11 a.m. and 2 p.m. (but not in the rest period).		Between 4 and 5. 30 p.m.		If no humidity insert none
	Dry bulb	wet bulb	Dry bulb	wet bulb	Dry bulb	wet bulb	
1st	..						
2nd	..						
3rd	..						
4th	..						
5th	..						
6th	..						
7th	..						
8th	..						
9th	..						
10th	..						
11th	..						
12th	..						
13th	..						
14th	..						
15th	..						
16th	..						
17th	..						
18th	..						
19th	..						
20th	..						
21st	..						
22nd	..						
23rd	..						
24th	..						
25th	..						
26th	..						
27th	..						
28th	..						
29th	..						
30th	..						
31st	..						

(Signed).....

Certified that the above entries are correct.

(Signed).....

**FORM No 7**  
(Prescribed under Rule 16)

**RECORD OF LIME WASHING, PAINTING, etc.**

Part of Factory, e. g., name of room	Parts lime-washed, pa- inted, varnished or oiled. e. g., walls, ceilings, wood work, etc.	Treatment, when her lime-washed, painted, varnished or oiled.			Date on which lime-washing, painting, varnishing or oiling was carried out (according to the English calendar).			REMARKS.				
		Date.	Month.	year	1	2	3	4	5	6	7	

Signature of Manager.

**FORM No. 8.**

(Prescribed under Rule 54.)

**-REGISTER OF WORKERS ATTENDING TO MACHINERY.**

No.	Name & Father's name of worker.	Designation, Department and nature of work.	Date when tight cloths provided.	Signature or thumb impression of the worker.

**FORM No. 9.**

(Prescribed under Rule 58).

**PORT OF EXAMINATION OF PRESSURE VESSEL.**

- |   |               |     |
|---|---------------|-----|
| 1. Name of Occupier (or Factory)  | ...           | ... |
| 2. Situation and address of Factory   | ...           | ... |
| 3. Name, description and distinctive number of pressure vessel  | ...           | ... |
| 4. Nature of process in which it is used  | ...           | ... |
| 5. Date of construction (the history should be briefly given, and the examiner should state whether he has seen the last previous report)   | ...           | ... |
| 6. Date of last hydraulic test (if any) and pressure applied  | ...           | ... |
| 7. Is the vessel in the open, or otherwise exposed to weather or to damp?   | ...           | ... |
| 8. What parts (if any) were inaccessible?   | ...           | ... |
| 9. What examination and tests were made?  | ...           | ... |
| 10. Condition of vessel (State any defects materially affecting the safe working pressure or the safe working of the vessel)  | External..... |     |
| 11. Are the required fittings and appliances provided in accordance with the Rules for pressure vessels?  | Internal..... |     |
| 12. Are all fittings and appliances properly maintained and in good condition?  | ...           | ... |
| 13. Repairs (if any) required, and period within which they should be executed and any other condition which the person making the examination thinks it necessary to specify for securing safe working                   | ...           | ... |
| 14. Safe working pressure, calculated from dimensions and from the thickness and other data ascertained by the present examination, due allowance being made for conditions of working if unusual or exceptionally severe | ...           | ... |

- 15 Where repairs affecting the safe working pressure are required, state the working pressure:
- (a) Before the expiration of the period specified in (13) ... ...
  - (b) After the expiration of such period if the required repairs have not been completed ... ...
  - (c) After the completion of the required repairs ... ...
16. Other observations - ... ...

I certify that on..... the pressure vessel described above was thoroughly cleaned and (so far as its construction permits) made accessible for thorough examination and for such tests as were necessary for thorough examination and that on the said date, I thoroughly examined this pressure vessel, including its fittings, and that the above is a true report of my examination.

Signature.....

Qualifications.....

Address.....

Date... .....

If employed by a Company or Association, give

name and address ... ... ...  
... ... ...  
... ... ...

**The Rajasthan Factories Rules, 1951.**

[ Form 10-1r

MANY HOLIDAYS.

**FORM No. 10**  
(Prescribed under Rule 81)

**FORM No. 12**

(Prescribed under Rule 84)

**NOTICE OF PERIODS OF WORK FOR ADULT WORKERS**

Name of Factory.....

Place.....

Periods of work.

Men

Women

Groups.	Total number of men employed						Total number of women employ						Description of groups.	Remarks
	A	B	C	D	E	F	G	H	I	J	K			
Relays.	1	2	3	1	2	3	1	2	3	1	2			
On working days														
From To	..													
From To	..													
From To	..													
On partial working days.														
From To	..													
From To	..													
From To	..													

**FORM No. 13**

(Prescribed under rule 85.)

Serial No.	Name,	Father's Name	Residential Address of the worker	Nature of work	Letter of Group as in Form.....	Number of relay, if working in shifts	No. and date of certificate if an adolescent.	Token Number giving reference to the certificate and date	Remarks
1	2	3	4	5	6	7	8	9	10

**REGISTER OF AUDIT WORKERS**

## The Rajasthan Factories Rules, 1951

Form 14B

**FORM No. 14**  
(Prescribed under Rule 90)

NOTICE OF PERIODS OF WORKS FOR CHILD WORKERS  
..... District.....

Name of Factory .....	Place .....	Description of Group.			REMARKS.
Period of work.	Children.	Total number of children employed.....		Nature of work.	
Groups	A	B	C	Group Letter.	
Relays	1	2	4	1	2
From					(Signed) .....
To					Manager.
Date on which this notice is first exhibited.....					195

**Form No. 15**  
(Prescribed under Rule 91.)

REGISTER OF CHILD WORKERS

S N o.	Name.	Father's name	Resident Address	Date of first employment	No. of certificate and its date.	Token No. giving reference to certificate.	Letter of Group as in Form.....	No. of relay working in shifts.	REMARKS
1	2	3	4	5	6	7	8	9	10

## APPENDIX

( Form No. 16 Prescribed under Rule 92 )  
*Register of leave with wages.*  
Name of Factory.....

(Form No. 17 prescribed under Rule 93)  
 (Form Register of Leave Book.

Name of the Factory.....		Adult/Child.....		Wages for leave period paid																			
				Name....		Father's Name .....		Date of discharge.....		Date and amount of payment made		Remarks											
Serial No .....	Department.....	Serial No. in the Register of Serial No. in the Register of Child workers ...	Date of entry into service.....	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
				No. of days worked during the calendar year.																			
				No. of days of work per period.																			
				Wages earned during the wage period.																			
				No. of days of leave off.																			
				No. of days of leave during the year.																			
				Total of Col. 4 to 7																			
				Leave earned during the year.																			
				Leave mentioned in Col.																			
				Total of Cols. 9 and 10																			
				Whether leave in accordance with scheme under Sec. 19 (8) was refused.																			
				Leave enjoyed from . . . to . . .																			
				No. of days of leave enjoyed																			
				Balance of leave from																			
				Leave preceding year.																			
				Total of Cols. 9 and 10																			
				Leave enjoyed during the year.																			
				No. of days of leave enjoyed																			
				Balance of leave to																			
				Leave mentioned in Col.																			
				Total of Cols. 9 and 10																			
				Leave enjoyed during the year.																			
				No. of days of leave enjoyed																			
				Leave during the year.																			
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FORM No. 18.

(Prescribed under Rule 98).

I hereby require that in the event of my death before resuming work the balance of my pay due for the period of leave with wages not availed of be paid to ... .... who is my ..... and resides at ..... Signature of the worker..., ...

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FORM No. 19.

(Prescribed under Rule 14).

HEALTH REGISTER.

(In respect of persons employed in occupations declared to be dangerous operations under section 87.)

Name of Certifying Surgeon

(a) Mr... ... ... ...

From..... To.....

(b) Mr... ... ... ...

From..... To.....

(c) Mr... ... ... ...

From..... To.....

## The Rajasthan Factories Rules, 1951

98 ]

Serial Works No.	Name of worker.	Age last birth-day.	Date of employment on present work.	Reason for leaving or transfer to other work.	Nature of job or occupation.	Raw material or by-product handled.	Result of Medical Examination.							
							1	2	3	4	5	6	7	8
If suspended from work, state period of suspension with detailed reasons.														
Re-certified for to resume duty on (with signature of Certifying Surgeon).														
If certificate of fitness or unfitness or suspension issued to worker.														
Signature, with date of Certifying Surgeon.														

Note:

- (i) Column 8. Detailed summary of reasons for transfer or discharge should be stated.
- (ii) Column 11. Should be expressed as fit/unit/suspended.

**FORM No. 20.**

(Prescribed under Rule 101).

**NOTICE OF ACCIDENT OR DANGEROUS OCCURRENCE**

(See instructions on reverse)

1. Name of Occupier (or Factory) \_\_\_\_\_
  2. Address of Works where accident or dangerous occurrence happened ..... .... .....
  3. Nature of Industry ..... .... .....
  4. Branch or Department and exact place where accident or dangerous occurrence happened ..... .... .....
  5. Injured person's name and address ..... .... .....
  6. (a)-Sex, (b) Age (last birthday), and (c) Occupation of injured person ... ... ... (a).....(b).....(c).....
  7. Date and hour of accident or dangerous occurrence
  8. Hour at which he started work on day of accident
  9. (a) Cause or nature of accident or dangerous occurrence  
...  
(b) If caused by machinery—  
    (i) Give name of the machine and part causing the accident, and (b) (i)  
    (ii) State whether it was moved by mechanical power at the time (b) (ii)  
    (c) State exactly what injured person was doing at the time (c)
  10. Nature and extent of injuries (e. g.,) fatal loss of finger, fracture of leg, scald, scratch followed by sepsis).
  11. If accident is not fatal, state whether injured person was disabled for 48 hours or more
  12. Name of Medical Officer in attendance on injured person.  
I certify that to the best of knowledge and belief the above particulars are correct in every respect.
- Signature of Occupier or Manager.....  
Date of despatch of report.....

*Note:—To be completed in legible hand writing or preferably typewritten.*

*(This space to be completed by Inspector).*

District	...	...	..	...
Date of Receipt	...	...	...	...
Accident No.	...	...	...	...
Industry No.	...	...	...	...
Causation No.	...	...	...	...
Other particulars (e.g. fatal, leg injury, Arm injury, etc.)	....	...	...	...
Date of Investigation	...	...	...	...
Result of Investigation	...	...	...	...

*(Reverse of Form 20).*

### NOTIFICATION OF ACCIDENTS.

*Extract from the Factories Act, 1948.*

*— (Section 88).*

Where in any factory accident occurs which causes death or which causes any bodily injury by reason of which the person injured is prevented from working for a period of forty-eight hours or more immediately following the accident, or which is of such nature as may be prescribed in this behalf, the manager of the factory shall send notice, therof to such authorities, and in such form and within such time, as may be prescribed.

*Extract from the.....Factories Rules, 1949.*

*(Rule 101).*

When any accident or occurrence specified in the Schedule takes place in a factory, the manager of the factory shall forthwith send notice thereof by telephone, special messenger or telegram to the Chief Inspector, and if the accident is fatal, or of such a serious nature that it is likely to prove fatal, notice as aforesaid shall also be sent to:—

- (a) the District Magistrate or Sub-Divisional Officer, and
- (b) the Officer-in-charge or the nearest Police Station.

(2) The notice so given shall be confirmed by the manager of the factory to the above-mentioned authorities within 12 hours of the occurrence by sending to them a written report in the prescribed Form No. 18.

### SCHEDULE.

1. Accident which cause—

- (a) death to any person;

(b) such bodily injury as prevents or will probably prevent the person injured from working for a period of 48 hours immediately following accident.

2. The following classes of occurrences, whether or not they are attended by personal injury or disablement:—

- (a) Bursting of a boiler or vessel used for containing steam under pressure greater than atmospheric pressure.

(b) Collapse or failure of a crane, derrick, winch, hoist or other appliance used in raising or lowering persons or goods, or any part thereof, or the overturning of a crane.

(c) Explosion or fire causing damage to any room or place in which persons are employed.

(d) Explosion of a receiver or container used for the storage, at a pressure greater than atmospheric pressure, of any gas or gases (including air) or any liquid or solid resulting from the compression of gas.

(e) Collapse or subsidence of any floor, gallery, roof, bridge, tunnel, chimney, wall or building forming part of a factory or within the compound or curtilage of factory.

## FORM No. 21.

(Prescribed under Rule 102).

To be filled in by the  
Chief Inspector.  
No. of case.....  
Remarks.....

## NOTICE OF POISONING OR DISEASE

(See instructions on reverse)

Factory Particulars.	1. Name of Factory .....
	2. Address of Factory .....
	3. Address of office or private residence of occupier.....
Person Affected	4. Nature of Industry .....
	5. Name and Works Number of Patient .....
	6. Address of Patient .....
	7. Sex and age of Patient .....
	8. Precise occupation of Patient .....
	9. Nature of Poisoning or Disease from which patient is suffering .....
General Particulars	10. Has the case been reported to the Certifying Surgeon .....

Signature of Factory Manager.....  
Dated.....

(Reverse of Form 21).

## NOTICE OF POISONING OR DISEASE.

Extract from the Factories Act, 1948.

(Section 102)

Where any worker in a factory contracts any disease specified in the Schedule, the manager of the factory shall send notice thereof to such authorities, and in such form and within such time, as may be prescribed.

Extract from the Factories Rules, 1949.  
(Rule 97)

A notice in Form No. 19 should be sent forthwith both to the Chief Inspector and to the Certifying Surgeon, by the Manager of a factory in which there occurs a case of lead, phosphorous, mercury,

manganese, arsenic, carbon bisulphide or benzene poisoning; or poisoning by nitrous fumes or by halogens or halogen derivatives of the hydrocarbons of the aliphatic series; or of chrome ulceration, anthrax, silicosis, toxic anaemia, toxic jaundice, primary epitheliomatous cancer of the skin, or pathological manifestations due to radium or other radio-active substances or X-Rays.

### FORM No. 22.

(Prescribed under Rule 104)

### ABSTRACT OF THE FACTORIES ACT 1948 AND THE FACTORIES RULES, 1949

(To be affixed in a conspicuous and convenient place at or near the main entrance to the Factory).

#### *Interpretation*

"Factory" means any premises including the precincts thereof—

(i) whereon ten or more workers are working, or were working on any day of the preceding twelve months, and in any part of which a manufacturing process is being carried on with the aid of power, or is ordinarily so carried on, or

(ii) whereon twenty or more workers are working, or were working on any day of the preceding twelve months, and in any part of which a manufacturing process is being carried on without the aid of power, or is ordinarily so carried on,

but does not include a mine subject to the operation of the Indian Mines Act, 1923 (IV of 1924), or a railway running shed.

"Worker" means a person employed, directly or through any agency, whether for wages or not, in any manufacturing process, or in cleaning any part of the machinery or premises used for a manufacturing process, or in any other kind of work incidental to, or connected with, the manufacturing process, or the subject of the manufacturing process.

"Manufacturing process" means any process for making, altering, repairing, ornamenting, finishing, packing, oiling, washing, cleaning, breaking up, demolishing, or otherwise treating or adapting any article or substance with a view to its use, sale, transport, delivery or disposal, or pumping oil, water or sewage, or generating, transforming or transmitting power, or printing by letter press, lithography, photogravure or other similar work or book-binding, which is carried on by way of trade or for purposes of gain, or incidentally to another business so carried on, or constructing, reconstructing, repairing, refitting, finishing or breaking up ships or vessels.

#### WORKING HOURS, HOLIDAYS, INTERVALS FOR REST, ETC.

1. *Hours of Work (Adults)* Sections 51 and 54.—No adult worker shall be required, or allowed, to work in a factory for more than 48 hours in any week and for more than 9 hours in any day.

2. *Relaxation of Hours of Work (Adults)* Section 64.—The ordinary limits on working hours of adults may be relaxed in certain special cases, e.g., workers engaged on urgent repairs; in preparatory or complementary work which must necessarily be carried on out-

side the limits laid down for the general working of the factory; in work which is necessarily so intermittent that the intervals during which they do not work while on duty ordinarily amount to more than the intervals for rest; in work which for technical reasons must be carried on continuously throughout the day; in making or supplying articles of prime necessity which must be made or supplied every day; in a manufacturing process which cannot be carried on except during fixed seasons, or at times dependent on the irregular action of natural forces; in engine rooms or boiler houses or in attending to power plant or transmission machinery.

Except in the case of urgent repairs, the relaxation shall not exceed the following limits:—

- (i) the total number of hours of work in any day, shall not exceed ten;
- (ii) the total number of hours of overtime work shall not exceed 50 for any one quarter;
- (iii) the spread over inclusive of intervals for rest shall not exceed 12 hours in any one day.

In the case of any or all adult workers in any factory, the ordinary limits on working hours of adults may be relaxed, for a period or periods not exceeding in the aggregate 3 months in any year, to enable the factory to deal with an exceptional press of work.

3. *Payment for Overtime.* Section 59.—Where a worker works in a factory for more than 9 hours in any day or for more than 48 hours in any week he shall, in respect of overtime work, be entitled to wages at the rate of twice his ordinary rate of wages.

4. *Exemption of Supervisory Staff.* Section 64.—Chapter VI of the Act—Working hours of adults—does not apply to persons holding positions of supervision or management or employed in a confidential position in a factory.

5. *Weekly Holiday (Adults).* Section 52.—No adult worker shall be required or allowed to work in a factory on the first day of the week, unless he has, or will have, a holiday for a whole day on one of the three days immediately before or after the said day, and the manager of the factory has, before the said day or the substituted day, whichever is earlier, delivered a notice at the office of the Inspector of his intention to require the worker to work on the said day and of the day which is to be substituted, and displayed a notice to that effect in the factory:

Provided that no substitution, shall be made which will result in any worker working for more than ten days consecutively without a holiday for a whole day.

Where a worker in a factory, as a result of exemption from the ordinary provision relating to weekly holidays, is deprived of any of the weekly holidays, he shall be allowed, within the months in which the holidays were due to him or within the two months immediately following that month, compensatory holidays of equal number to the holidays so lost.

6. *Intervals for Rest (Adults).* Sections 55 and 56.—The periods of work of adult workers in a factory each day shall be so fixed that no period shall exceed 5 hours before he has had an interval for rest of at least half an hour and that inclusive of his intervals for rest they shall not spread more than 10½ hours in any day or, with the permission of the Chief Inspector in writing, 12 hours.

7. *Prohibition of Double Employment.* Sections 60, 71 and 99.—No child or, except in certain circumstances an adult worker, shall be required or allowed to work in any factory on any day on which he has already been working in any other factory.

If a child works in a factory on any day on which he has already been working in another factory, the parent or guardian of the child or the person having custody of or control over him or obtaining any direct benefit from his wages shall be punishable with fine, which may extend to Rupees 50 unless it appears to the court that the child so worked without the consent or connivance of such parent, guardian or person.

8. *Prohibition of Employment of Children under 14.* Section 67.—No child who has not completed his fourteenth year shall be required or allowed to work in any factory.

9. *Hours of Work (Children).* Section 71.—No child shall be employed or permitted to work in any factory for more than 4½ hours in any day and between the hours of 7 P.M. and 6 A.M. The periods of work of all children employed in a factory shall be limited to two shifts which shall not overlap or spread over more than 5 hours each and each child shall be employed in only one of the relays.

The provision relating to weekly holidays shall also apply to child workers and no exemption from this provision may be granted in respect of any child.

10. *Prohibition of Employment of Women.* Section 66.—No woman shall in any circumstances be employed in any factory for more than 9 hours in any day or between the hours of 7 P.M. and 6 A.M.

#### LEAVE WITH WAGES.

11. *Leave with Wages Sections 79, 80 and 83 & Rules.*—Every worker who has completed a period of 12 months continuous service in a factory shall be allowed during the subsequent period of 12 months leave with wages for a number of days calculated at the rate of—

(i) if an adult, one day for every twenty days of work performed by him during the previous period of 12 months subject to a minimum of 10 days;

(ii) if a child, one day for every 15 days of work performed by him during the previous period of 12 months subject to a minimum of 14 days:

Provided that a period of leave shall be inclusive of any holiday which may occur during such period.

For the leave allowed to him, a worker shall be paid at a rate equal to the daily average of his total full time earnings, exclusive of any overtime earnings, and bonus, but inclusive of dearness allowance and the cash equivalent of any advantage occurring by the sale, by the employer, of foodgrains and other articles at concessional rates for the days on which he worked during the month immediately preceding his leave.

Where the employment of a person who has completed a period of 4 months continuous service in a factory is terminated before he has completed a period of 12 month continuous service he shall be deemed to have become entitled to leave for the number of days calculated at the rate of, if an adult one day for every 20 days of work performed by him, and if a child one day for every 15 days of work performed by him, and the occupier of the factory shall pay to him the amount payable in respect of the leave to which he is deemed to have become entitled.

If a worker entitled to leave with wages is discharged from the factory before he has taken the entire leave to which he is entitled, or if having applied for and having not been granted such leave, he quits his employment before he has taken the leave, the Occupier of the factory shall pay him the amount payable in respect of the leave not taken and such payment shall be made before the expiry of the second working day after the day on which his employment is terminated.

The Manager shall maintain a leave with wages register in the prescribed Form No. 15 and shall provide each worker with a book called the 'Leave Book' in the prescribed Form No. 16. The Leave Book shall be the property of the worker and the Manager or his agent shall not demand it except to make entries of the dates of holidays or interruptions in service and shall not keep it for more than a week at a time. If a worker loses his Leave Book, the Manager shall provide him with another copy on payment of one anna and shall complete it from his record.

#### HEALTH.

**12. Cleanliness.** *Section 11.—Except in cases specially exempted all inside walls and partitions, all ceilings or tops of rooms and all walls, sides and tops of passages and staircases in a factory shall be kept white washed or colour-washed. The white-washing or colour washing shall be carried out at least once in every period of fourteen months. The floors of every work-room shall be cleaned at least once in every week by washing, using disinfectant, where necessary, or some other method.*

**13. Disposal of Wastes and Effluents.** *Section 12.—Effective arrangements shall be made in every factory for the disposal of wastes and effluents due to the manufacturing process carried on therein.*

**14. Ventilation and Temperature.** *Section 13.—Effective and suitable provision shall be made in every factory for securing*

and maintaining in every work-room adequate ventilation by the circulation of fresh air and such a temperature as will secure to workers therein reasonable conditions of comfort and prevent injury to health.

15. *Overcrowding. Section 16.*—Unless exemption has been granted, there shall be in every work room of a factory in existence on 1st November, 1951, at least 350 cubic feet and of a factory built after this date at least 500 cubic feet of space for every worker employed therein and for this purpose no account shall be taken of any space which is more than 14 feet above the level of the floor of the room.

16. *Lighting. Section 17.*—In every part of a factory where workers are working or passing, there shall be provided and maintained sufficient and suitable lighting, natural or artificial or both.

17. *Drinking Water. Section 18*—In every factory effective arrangements shall be made to provide and maintain at suitable points, conveniently situated for all workers employed therein, a sufficient supply of wholesome drinking water.

In every factory wherein more than 250 workers are ordinarily employed the drinking water shall, during the hot weather, be cooled by ice or other effective methods. The cooled drinking water shall be supplied in every canteen, lunchroom and rest room and also at conveniently accessible points throughout the factory.

18. *Latrines and Urinals. Section 19 and Rules.*—In every factory sufficient latrine and urinal accommodation of the prescribed type (separate enclosed accommodation for male and female workers) shall be provided conveniently situated and accessible to workers at all times while they are at the factory. Every latrine shall be under cover and so partitioned off as to secure privacy and shall have a proper door and fastenings. Sweepers shall be employed whose primary duty it would be to keep clean latrines, urinals and washing places.

19. *Spitoons. Section 20.*—In every factory, there shall be provided a sufficient number of spitoons of the type prescribed in convenient places and they shall be maintained in a clean and hygienic condition. No person shall spit within the premises of a factory except in the spitoons provided for the purpose. Whoever spits in contravention of this provision shall be punishable with fine not exceeding five rupees

#### SAFETY.

20. *Fencing of Machinery. Section 21.*—In every factory dangerous parts of machines e.g., every moving part of a prime mover and every flywheel connected to a prime mover etc. etc. shall be securely fenced by safeguards of substantial construction which shall be kept in position while the parts of machinery they are fencing are in motion or in use.

21. *Work on or near Machinery in Motion. Section 22*—No woman or child shall be allowed in any factory to clean, lubricate or adjust any part of the machinery while that part is in motion, or

to work between moving parts, or between fixed and moving parts of any machinery which is in motion.

*22. Employment of young Persons on Dangerous Machinery.*

*Section 23.*—No young person shall work at any machine declared to be dangerous unless he has been fully instructed as to the dangers arising in connection with the machine and the precautions to be observed and has received sufficient training in work at the machine or is under adequate supervision by a person who has a thorough knowledge and experience of the machine.

*23. Casting of new Machinery.* *Section 26.*—In all machinery driven by power and installed in any factory after 1st November, 1951, every set screw, bolt or key on any revolving shaft, spindle, wheel or pinion shall be so sunk, encased or otherwise effectively guarded as to prevent danger; all spur worm and other toothed or friction gearing which does not require frequent adjustment while in motion shall be completely encased, unless it is so situated as to be as safe as it would be if it were completely encased.

Whoever sells or lets on hire or as agent of a seller or hirer, causes or procures to be sold or let on hire, for use in a factory any machinery driven by power which does not comply with these provisions, shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to five hundred rupees or with both.

*24. Prohibition of employment of Women and Children near Cotton Openers.* *Section 27.*—No woman or child shall be employed in any part of a factory for pressing cotton in which a cotton opener is at work.

*25. Excessive Weights.* *Section 34.*—No woman or young person shall unaided by another person, lift, carry or move by hand or on head, any material, article, tool or appliance exceeding the following limits:—

Adult female	65 lb.
Adolescent male	65 lb.
Adolescent female	45 lb.
Male child	35 lb.
Female child	30 lb.

*26. Protection of Eyes.* *Section 35.*—Effective screens or suitable goggles shall be provided for the protection of persons employed in or the vicinity of processes which involve risk of injury to the eyes from particles or fragments thrown off in the course of the process or which involve risk of injury to the eyes by reason of exposure to excessive light.

*27. Precaution in case of Fire.* *Section 38.*—Every factory shall be provided with adequate means of escape in case of fire for the persons employed therein. The doors affording exit from any room shall, unless they are of the sliding type, be constructed to open outwards. Every window, door or other exit affording a means of escape in case of fire, other than the means of exit in ordinary

use, shall be distinctively marked. Effective and clearly audible means of giving warning in case of fire to every person employed in the factory shall be provided. Effective measures shall be taken to ensure that wherein more than twenty workers are ordinarily employed in any place above the ground floor, or where in explosive or highly inflammable materials are used or stored, all the workers are familiar with the means of escape in case of fire and have been adequately trained in the routine to be followed in such case.

#### WELFARE.

28. *Washing Facilities.* *Section 42.*—In every factory adequate and suitable facilities for washing shall be provided and maintain for the use of the workers therein. Such facilities shall include soap and nail brushes or other suitable means of cleaning and the facilities shall be conveniently accessible and shall be kept in a clean and orderly condition.

If female workers are employed separate facilities shall be provided and so enclosed or screened that the interiors are not visible from any place where persons of the other sex work or pass.

29. *Facilities for Storing and Drying Clothing.* *Section 43 and Rules.*—In the case of certain dangerous operations e. g., lead processes, liming and tanning of raw hides and skins etc. suitable places for keeping clothing not worn during working hours and for the drying of wet clothing shall be provided and maintained.

30. *Facilities for sitting.* *Section 44.*—In every factory suitable arrangements for sitting shall be provided and maintained for all workers obliged to work in a standing position in order that they may take advantage of any opportunities for rest which may occur in the course of their work.

31. *First Aid and Ambulance Room.* *Section 45.*—There shall in every factory be provided and maintained so as to be readily accessible during all working hours first aid boxes or cupboards equipment with the prescribed contents. All such boxes and cupboards shall be kept in the charge of a responsible person who is trained in first-aid treatment and who shall always be available during the working hours of the factory.

In every factory wherein more than 500 workers are employed there shall be provided and maintained an ambulance room of the prescribed size and containing the prescribed equipment. The ambulance room shall be in-charge of a qualified medical practitioner assisted by at least one qualified nurse and such other staff as may be prescribed.

32. *Canteens.* *Section 46 and Rules.*—In specified factories wherein more than 250 workers are ordinarily employed, a canteen or canteens shall be provided and maintained by the occupier for the use of the workers. Food drink and other items served in the canteen shall be sold on a non-profitable basis and the prices charged shall be subject to the approval of a Canteen Managing Committee which shall be appointed by the Manager and shall consist of an

equal number of persons nominated by the occupier and elected by the workers. The number of elected workers shall be in the proportion of 1 for every 1,000 workers employed in the factory provided that in no case shall there be more than 5 or less than 2 workers on the Committee. The Committee shall be consulted from time to time on to the quality and quantity of food stuffs to be served in the Canteen, the arrangement of the menus etc. etc.

33. *Shelters, Rest Rooms and Lunch Rooms.* Section 47.—In every factory wherein more than 150 workers are ordinarily employed, adequate and suitable shelters or rest rooms and a suitable lunch room, with provision for drinking water, where workers can eat meals brought by them shall be provided and maintained for the use of the workers.

34. *Creches. Section 48 and Rules.*—In every factory where in more than 50 women workers are ordinarily employed there shall be provided and maintained a suitable room or rooms for the use of children under the age of six years of such women. The Creche shall be adequately furnished and equipped and in particular there shall be one suitable cot or a cradle with the necessary bedding for each child, at least one chair or equivalent seating accommodation for the use of the mother while she is feeding or attending to her child and a sufficient supply of suitable toys for elder children.

There shall be in or adjoining the creche a suitable wash-room for the washing of the children and their clothing. An adequate supply of clean clothes, soap and clean towels shall be made available for each child while it is in the creche. At least half a pint of clean pure milk shall be available for each child on every day it is accommodated in the creche and the mother of such a child shall be allowed in the course of her daily work suitable intervals to feed the child. For children above two years of age, there shall be provided, in addition, an adequate supply of wholesome refreshment. A suitably fenced and shady open air play-ground shall also be provided for the older children.

35. *Welfare Officers. Section 49.*—In every factory wherein 500 or more workers are ordinarily employed the occupier shall employ in the factory such number of Welfare Officers as may be prescribed.

#### SPECIAL PROVISIONS.

36. *Dangerous Operations. Section 87 and Rules.*—Employment of women, adolescents and children in prohibited or restricted in certain operations declared to be dangerous, e.g., manufacture of aerated water, electroplating, manufacture and repair of electric accumulators, glass manufacture, grinding or glazing of metals, manufacture and treatment of lead and certain compounds of lead, generating petrol gas from petrol, sand blasting and liming and tanning of raw hides and skins.

37. *Notice of Accidents. Sections 88 and Rules.*—Where in any factory an accident occurs which causes death or which causes

bodily injury by reason of which the person injured is prevented from working for a period of 48 hours or more immediately following the accident or which, though not attended by personal injury or disablement, is of one of the following types:—

- (i) Bursting of a vessel used for containing steam under pressure greater than atmospheric pressure other than plant which comes within the scope of the Indian Boiler Act
- (ii) Collapse or failure of a crane, derrick, winch, hoist or other appliances used in raising or lowering persons or goods, or any part thereof, or the overturning of a crane
- (iii) Explosion or fire causing damage to any room or place in which persons are employed, or fire in rooms of cotton pressing factories, where a cotton opener is in use.
- (vii) Explosion of a receiver or container used for the storage at a pressure greater than atmospheric pressure of any gas or gases (including air) or any liquid or solid resulting from the compression of gas.
- (v) Collapse of subsidence of any floor, gallery, roof, bridge, tunnel, chimney, wall or building forming part of a factory or within the compound or curtailing of factory;

the Manager of the factory shall forthwith send notice thereof to the Chief Inspector. If the accident is fatal or of such a serious nature that it is likely to prove fatal, notice shall also be sent to the District Magistrate or the Sub-Divisional Officer and the Officer-in-Charge of the nearest Police Station.

*38. Notice of Certain Diseases. Section 89 and Rules.*—Where any worker in a factory contracts any of the following diseases the Manager of the factory shall send notice thereof forthwith both to the Chief Inspector and the Certifying Surgeon:—

Lead, phosphorus, mercury, manganese, arsenic, carbon bisulphide or benzene poisoning; or poisoning by nitrous fumes, or by halogens or halogen derivatives of the hydrocarbons of the aliphatic series; or of chrome ulceration, anthrax, silicosis, toxic anaemia, toxic jaundice, primary epitheliomatous cancer of the skin, or pathological manifestations due to radium or other radio-active substances or X-Rays.

*39. No Charge for Facilities and Conveniences. Section 114.*—No fee or charge shall be realised from any worker in respect of any arrangements or facilities to be provided or any equipments or appliances to be supplied by the occupier under the provisions of the Act.

*40. Powers of Inspectors. Sections 9 and 82.*—Inspectors have power to inspect factories any time and may require the production of registers, certificates, etc. prescribed under the Act and the Rules.

Any Inspector may institute proceedings on behalf of any workers to recover any sum required to be paid by an employer under the provisions relating to leave with wages, which the employer has not paid.

41. *Obligations of Workers. Section 97 and 111.*—No worker of a factory—

(i) shall wilfully interfere with or misuse any appliance, convenience or other thing provided in a factory for the purposes of securing the health safety or welfare of the workers therein,

(ii) shall wilfully and without any reasonable cause do anything likely to endanger himself or other, and.

(iii) shall wilfully neglect to make use of any appliance or other thing provided in the factory for the purpose of securing the health or safety of the workers therein.

If any worker employed in a factory contravenes any of these provisions or any rule or order made thereunder he shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to Rs 100 or with both.

If any worker employed in a factory contravenes any provision of the Act or any rules or orders made thereunder imposing any duty or liability on workers he shall be punishable with fine which may extend to Rs. 20.

42. *Certificates of Fitness.. Sections 68, 70 and 98.*—No child who has completed his fourteenth year or an adolescent shall be required or allowed to work in any factory unless a certificate of fitness granted with reference to him is in the custody of the Manager of the factory and such child or adolescent carries, while he is at work, a token giving a reference to such certificate. Any fee payable for such a certificate shall be paid by the occupier and shall not be recoverable from the young person, his parents or guardian.

An adolescent who has been granted a certificate of fitness to work in a factory as an adult and who while at work in a factory carries a token giving reference to the certificate shall be deemed to be an adult for all the purposes of the provisions of the Act relating to the working hours of adults and the employment of young persons. An adolescent who has not been granted a certificate of fitness to work in a factory as an adult shall, notwithstanding his age, be deemed to be a child for all the purposes of the Act.

Whoever knowingly uses or attempts to use, as a certificate of fitness granted to himself, a certificate granted to another adolescent to work in a factory as an adult or, who having procured such a certificate knowingly allows it to be used, or an attempt to use it to be made, by another person, shall be punishable with imprisonment for a term which may extend to one month or with fine which may extend to Rs. 50 or with both.

43. *Registers, Notices and Returns. Sections 61, 63, 72, 74, 79, 80 and 110.*—A register of adult workers in the prescribed Form No. 12 and a register of child workers in the prescribed Form No. 14 shall be maintained by the Manager of every factory.

A notice of periods of work for adults and a notice of periods of work for children in the prescribed Form Nos. 11 and 13 shall be

correctly maintained and displayed in every factory. No adult worker or child shall be required or allowed to work in any factory otherwise than in accordance with their respective notices of periods of work displayed in the factory.

The owners, occupiers or managers of factories shall submit the prescribed periodical returns to the Inspector regularly.

### FORM No. 23.

(Prescribed under sub-rule (1) of Rule 105).

#### ANNUAL RETURN

Name of Factory.....

Name of Occupier .....

Name of Manager.....

1. District .. . . .					
2. Postal Address .. . . .					
3. Nature of Industry .. . .					
4. *Average number of workers employed				Men	
				Women	
				Adolescents—	
				Male	
				Female	
				Children—	
				Male	
				Female	
				Men	
5. Normal hours worked per hour.				Women	
				Children	
6. Number of days worked in the year.					
7. **What rest intervals were given to adults ? ..					
8. Were rest intervals given to children ? ..					
9. Were week days sometimes substituted for Sunday as weekly holidays ?					
				51	
10. The number of workers exempted from the provisions of sections:				52	
				54	
				55	
				56	
11. Does the factory come under:—					
(i) Section 87,					
(ii) Section 93.					
12. Average daily number of workers employed in dangerous operations					

Certified that the information furnished above is to the best of my knowledge and belief correct.

Signature of the Manager.

\*The average daily number should be calculated by dividing the aggregate number of attendances on working days by the number of working days in the year. In reckoning attendances, attendances by temporary as well as permanent employees

should be counted, and all employees should be included, whether they are employed directly or under contractors. Attendances on separate shifts (e.g. night and day shifts) should be counted separately. Days on which the factory was closed, for whatever cause, and days on which the manufacturing processes were not carried on should not be treated as working days.

\*\*Enter "one hour", to half-hours, "one half hour", or "none" as the case may be. If none of these categories applied to all the adult employees, enter the category applicable to the majority of adult employees. Where the majority received an interval exceeding one hour, enter "one hour".

NOTE:—Partial attendances should be treated as full attendances for the purpose of calculating average daily number of workers employed and man-days worked.

### FORM No. 24

(Prescribed under sub-rule (3) of Rule 105)

#### HALF YEARLY RETURN

Period ending 30th June, 195 . /31st December, 195 .

Name of Factory .....

Name of Occupier .....

Name of Manager .....

(1) District .....

(2) Postal Address .....

(3) Nature of Industry ..

(4)*Average number of workers employed daily.	Men
	Women
	Adolescents—
	Male
	Female
	Children—
	Male
	Female

(5) Number of days worked during the half-year ending 30th June, 195 /31st December, 195 .

Certified that the information furnished above is, to the best of my knowledge and belief, correct.

Signature of the Occupier.

Signature of the Manager.

\*The average daily number should be calculated by dividing the aggregate number of attendances on working days by the number of working days during the half-year. In reckoning attendances, attendances by temporary as well as permanent employees should be counted, and all employees should be included, whether they are employed directly or under contractors. Attendance on separate shifts, (e.g. night and day shifts) should be counted separately. Days on which the factory was closed, for whatever cause, and days on which the manufacturing processes were not carried on should not be treated as working days.

Partial attendances should be treated as full attendances for the purpose of calculating average daily number of workers employed and man-days worked!

**FORM No. 25**

(Prescribed under sub-rule (4) of Rule 105).

**LEAVE WITH WAGES-ANNUAL RETURN.**

For the year ending 31st December, 1955 .

Name of Factory....	....	....	....
Name of Occupier...	....	....	....
Name of Manager....	....	....	....
District...	....	....	....
Postal Address...	....	....	....
Nature of Industry...	....	....	....
Total number of persons employed during the year—			
Men ..	...	...	...
Women...	...	...	...
Children ..	...	...	...

Number of persons who completed twelve months' continuous service during the year—

Men ..	...	...
Women...	...	...
Children...	...	...

Number of persons who were granted leave during the year—

Men ....	...	...
Women....	...	...
Children ..	...	...

Number of persons who give notice not to avail themselves of leave during the year in which leave accrued—

Men ..	....	....
Women ..	..	...
Children....	....	...

Certified that the information furnished above is, to the best of my knowledge and belief, correct.

Signature of the Manager.

**FORM No. 26.**

(Prescribed under sub-rule (5) of Rule 105).

**COMPENSATORY HOLIDAYS-ANNUAL RETURN.**

For the year ending 31st December, 1955

Name of Factory...	...	...	...
Name of Occupier...	...	...	...
Name of Manager...	...	...	...
1. District .....	...	...	...
2. Postal Address.....	...	...	...
3. Nature of Industry.....	...	...	...
4. No. of workers exempted from section 52 of the Factories Act—			
Men...	...	...	...
Women...	...	...	...
5. Number of person who received holidays in the—			
(1) same month.....	...	...	...

(2) following month... ...

(3) third month..... ...

Certified that the information furnished above is, to the best of my knowledge and belief, correct.

Signature of the Manager.

## FORM No. 27.

(Prescribed under sub-section 6 of Rule 105).

## ACCIDENTS—ANNUAL RETURN

For the year ending 31st December, 1951.

1. Name of the factory etc .....
2. Number of accidents or the dangerous occurrences which took place during the year.....
3. Number of persons:
  - (a) Killed:
 

Men...	...
Women ..	...
Children...	...
  - (b) Injured:
 

Men ..	...
Women ..	...
Children .....	....
4. Number of injured persons who returned to work ... ... ...
- 5 Number of men days lost on account of absence due to injury in the case of person, who returned to work ..... .....

Certified that the information furnished above is, to the best of my knowledge and belief, correct.

## FORM No. 28

Signature of the Manager.

(Prescribed under Rule 108)

## MUSTER ROLL

S. No.	Name	Father's name.	Nature of work	For the period ending .....												Remarks.	
				1	2	3	4	5	6	7	8	9	10	11	12	13	

## FORM No. 29.

(Prescribed under Rule 109).

## REGISTER OF ACCIDENTS AND DANGEROUS OCCURRENCES.

Name of injured person (if any)	Date of accident of dangerous occurrence.	Date of report (in Form No. 18 to Inspector)	Nature of accident or dangerous occurrence.	Date of return of injured person to work	No. of days, injured person was absent from work.
1	2	3	4	5	6

**FORM No. 30.**

(Prescribed under Schedule VI to Rule 100).

SPECIAL CERTIFICATE OF FITNEES.

(in respect of persons employed in operations involving use of lead compounds).

Serial No.....

Date .....

I hereby certify that I have personally examined ... ....  
.... .... son of ... .... .... .... .... .... .... ....  
.... .... residing at ... .... .... .... .... .... ....  
who is desirous of being employed as ... .... .... .... .... in the  
... .... .... .... .... .... and that his age, as nearly  
as can be ascertained from my examination, is ... .... .... years,  
and that he is, in my opinion, fit for employment at work involving  
... .... .... .... .... .... .... .... ....  
... .... .... .... .... .... .... .... ....  
the use of lead compounds. His descriptive marks are.

Left  
thumb impression  
of person examined

*Certifying Surgeon.*

I certify that I examined the person mentioned above on.	I extend this certificate until.	Signature of Certifying Surgeon	Note of symptoms of lead poisoning (if any)

FORM No. 31  
*(Prescribed under sub-rule (7) of Rule 105 )*  
 ANNUAL RETURN-CANTEEN.  
 Year ending 31st December, 19

Name of factory.		No. of workers not nally employed daily						Providing goo- ked food and refreshments, etc. (A)						Providing goo- ked food only(B)						Providing Ref- reshments and Tea. only (C)						Providing Tea. only. (D)						No. of workers par- ticipating in dossing canteen not nally (daily).						Whether issues are below cost price. If so, state items pro- vided below cost price.						Item of expenditure borne by employer if any (Details regarding items and amount subsidised should be given.)						General Remarks.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
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## FORM No. 32.

[Prescribed under sub-rule (8) or 105].

## ANNUAL RETURN—CRECHE.

Year ending 31st December, 19.....

1. Industry
2. Name of factory
3. Number of women workers normally employed
4. Number of children admitted in the creche
5. Average daily attendance of children at the creche:—
  - (a) 2 years and below
  - (b) Above 2 years
6. Details of facilities provided with regard to:—
  - (a) Milk
  - (b) Food
  - (c) Clothes
  - (d) Toys
  - (e) Medical Aid
  - (f) Others
7. Details of staff employed:—
  - (i) Doctors:—
    - (a) Males
    - (b) Females
  - (ii) Nurses
  - (iii) Teachers
  - (iv) Ayahs
  - (v) Sweepers
8. General Remarks

Dated ..... ..

Signature Manager.....

FORM No. 33.

[Prescribed under sub-rule (9) of Rule 105].

ANNUAL RETURN—SHELTER, REST ROOMS  
AND LUNCH ROOMS.

Year ending 31st December, 19 .....

1. Industry
2. Name of Factory
3. Number of workers normally employed
4. Average daily attendance of workers at the shelter, rest-room or lunch room
5. Details of facilities provided with regard to drinking water
6. Details of accommodation, furniture and other equipment provided
7. General remarks.

Certifying Surgeon.

## FORM No. 34

*Inspection Book, containing headings as under:—*

- |                               |  |
|-------------------------------|--|
| Covering Page                 | .... Inspector Book for Inspector of<br>Factories and Certifying Surgeon only. |
| Back of the Covering Page ... | Manager's remarks regarding action<br>taken if any.                            |
| Every Numbered Page           | .... Inspector's or Certifying Surgeon's<br>remarks.                           |
| Back of every Numbered Page   | Manager's remarks regarding action<br>taken if any.                            |

# RAJASTHAN FACTORIES RULES, 1951.

Published in Raj. Raj-patra part IV (c) dated July 14, 1960 at page 149-155

Jaipur, March 22, 1960.

No. D. 13027 F. 1 (15) Lab. 57.—In exercise of the powers conferred by section 112 of the Factories Act, 1948 (LXIII of 1948), the State Government hereby makes the following amendments in Rajasthan Factories Rules 1951, the same having been previously published, namely:—

## AMENDMENTS

In Rule 67 of the said Rules, the following items be added, viz.—

in Clause "A" (XI) Aspirin (5 gr. tablets).

(XII) Ointment for burns.

(XIII) A suitable surgical antiseptic solution.

in Clause "B" (XIII) A pirin (5 gr. tablets).

(XIV) Ointment for burns.

(XV) A suitable surgical antiseptic solution.

in Clause "C" (XIX) Aspirin (5 gr. tables).

(XX) Ointment for burns.

(XXI) A suitable surgical antiseptic solution.

Jaipur, March 24, 1960.

No. D. 1209 F. 3 (21) Lab 58.—In exercise of the powers conferred by section 31 and section 112 of the Factories Act, 1948 (Act LXIII of 1948), the State Government hereby makes the following amendments in Rajasthan Factories Rules, 1951, the same having been previously published in Rajasthan Gazette, Part III (ख) dated 23-7-1959. namely:—

## AMENDMENTS

In the Rajasthan Factories Rules, 1951, substitute the following Rule 58—

### PRESSURE PLANT.

1. Every plant of machinery other than the working cylinders of prime movers used in a factory, and operated at a pressure greater than atmospheric pressure, shall be—

- (a) of good construction, sound material, adequate strength and free from any patent defect.
- (b) properly maintained in a safe condition.
- (c) fitted with:—

(i) a suitable safety valve or other effective device to ensure that the maximum permissible working pressure of the vessel shall not be exceeded;

(ii) a suitable pressure gauge easily visible and designed to show at all times, the correct internal pressure in lbs. per square inch, and marked with a prominent red mark at the safe working pressure of the vessel;

(iii) a suitable stop valve or valves by which the vessel may be isolated from other vessels or source of supply or pressure;

(iv) a suitable drain cock or valve at the lowest part of the vessel for the discharge of connected liquid.

(d) thoroughly examined by a competent person—

(i) externally, once in every period of six months, to ensure general condition of the vessel and the working of its fittings; and

(ii) internally, once in every period of twelve months to ensure condition of the walls, seams and ties, both inside and outside the vessel, soundness of the parts of the vessel, and the effects of corrosion if by reason of construction of the vessel, a thorough internal examination is not possible, this examination may be replaced by a hydraulic test which shall be carried out once in every two years. Provided that the vessels in continuous process which cannot be frequently opened, the period of internal examination may be extended to four years.

(iii) hydraulically tested at intervals of not more than four years provided that in respect of pressure vessels with thin walls such as sizing cylinders made of copper or any other non-ferrous metal periodic hydraulic test may be dispensed with on the condition that the requirements laid down in clause (2) are fulfilled:

Provided that it shall be sufficient for the purposes of clause (a) if the safety valve, pressure gauge and stop valve are mounted on a pipeline immediately adjacent to the vessel and where there is a range of two or more similar vessels in a plant served by the same pressure lead, only one set of such mountings need be fitted provided they cannot be isolated.

2. (a) In respect of pressure vessels of thin walls, such as sizing cylinders made of copper or any other non-ferrous metal, the safe working pressure shall be reduced at the rate of 5% of the original working pressure of every year of its use after the first five years and no such cylinder shall be continued to be used for more than twenty years after it was first taken into use.

(b) If no information as the date of construction, thickness of walls and safe working pressure is available, the age of the sizing cylinder shall be determined by the competent person in consulta-

tion with the Chief Inspector from any other particulars available with the manager.

(c) Every new and second hand cylinder of thin walls to which repairs, which may effect its safety, have been carried out, shall be tested before use to at least one and a half times its working pressure.

3. Every vessel other than part of a prime mover operated at a pressure greater than atmospheric pressure, and not so constructed as to withstand with safety the maximum permissible working pressure at the source of supply, or the maximum pressure which can be obtained in the pipe connecting the vessel with any other source of supply shall be fitted with a suitable reducing valve or other suitable automatic device to prevent the safe working pressure of the vessel being exceeded.

4. In cases owing to the nature of the process of the action of the contents of the vessels, a pressure gauge or safety valve or both cannot work reliably a tested and reliable working thermometer—with a sufficient large scale, on which shall be clearly marked the maximum permissible temperature in the vessel or pyrometers or rupture discs in addition to the pressure gauge and safety valve may be fitted may be directed by the Chief Inspector.

5. If during thorough examination, doubt arises as to the ability of vessel to work safely until the next examination provided for in these rules then the competent person shall enter in the register prescribed a reasoned statement, to authorise the vessel for further work subject to a lowering of pressure or to more frequent inspection or subject to both of these requirements.

6. No vessel which has undergone alterations repairs shall be taken into use unless it is thoroughly examined by a competent person.

7. A report of the result of every examination made shall be completed in the prescribed Form No. 9 and signed by the person making the examination and shall be kept available for persual by an Inspector at any time while the vessel is in service.

8. No vessel which has previously been used shall be taken into use in any factory for the first time, until it has been examined and reported in accordance with these rules and no new vessel shall be taken into use unless there has been obtained from the maker of the vessel, or from a competent person a certificate specifying the maximum permissible working pressure thereof and stating the nature of the test to which the vessel and its fittings (if any) have been subjected, and the certificate is kept available for persual by an Inspector and the vessel so marked as to enable it to be indentified, to which the certificate relates.

9. Where the report of any examination under this rule specifies condition for securing the safe working of a vessel, the vessel shall not be used except in accordance with these conditions.

10. The competent person making the report of any examination under this rule, shall within seven days of the completion of the examination, send to the Inspector a copy of the report in every case where the maximum permissible working pressure is reduced, or the examination shows that the part cannot continue to be used with safety unless certain repairs are carried out immediately or with a specified time.

11. The requirements of this rule shall be in addition to and not in derogation of requirements of any other Act, rules or regulations.

12. Nothing in this rule shall apply to:—

(a) any vessel which comes within the scope of the Indian Boilers Act.

(b) metal bottles or cylinders used for the storage or transport of compressed gases liquified or dissolved gases under pressure.

(2) Substitute the following Form in the said Rules for the existing Form No. 9 (prescribed under Rule 58).

### FORM 9.

(Prescribed under rule 58)

#### *Report of Examination of Pressure Vessels*

1. Name of Occupier (or Factory)..... . . . . .
2. Situation and address of factory . . . . .
3. Name, description and distinctive number of pressure vessel..... . . . . .
4. Name and address of manufacture .. . . . .
5. Nature of process in which it is used..... . . . . .
6. Particulars of vessel:—
  - (a) Date of construction..... . . . . .
  - (b) Thickness of Walls..... . . . . .
  - (c) Date on which the vessel was first taken into use..... . . . . .
  - (d) Safe working pressure recommended by the manufacturer... . . . . .

(The history should be briefly given, and the examiner should state whether he has seen the last previous report.)

7. Date of last hydraulic test (if any) and pressure applied .. . . . .
8. Is the vessel in open, or otherwise exposed to weather or to damp..... . . . . .
9. What parts (if any) were inaccessible?..... . . . . .

10. What examination and tests were made? (specify pressure if hydraulic test was carried out)
11. Condition of vessel (State any defects materialy affecting the safe working pressure or the safe working of the vessel.) } External.....  
Internal.... . .
12. Are the required fittings and appliances provided in accordance with the rules for pressure vesel? ..... . . . . .
13. Are all fittings and appliances properly maintained and in good condition? ..... . . . . .
14. Repairs (if any) required, and period within they should be executed and any other condition which the person making the examination thinks it necessary to specify for securing safe working ..... . . . . .
15. Safe working pressure, calculated from dimension and from the thickness and other data ascertain by the present examination, due allowance being made for conditions of working if unusual or exceptionally sever. (State minimum thickness of walls measured during the examination) ..... . . . . .
16. Where repairs affecting the safe working pressure are required, state the working pressure: ..... . . . . .  
 (a) Before the expiration of the period specified in (15) ..... . . . . .  
 (b) After the expiration of such period if the required repairs have been completed. ..... . . . . .  
 (c) After the completion of the required repairs. ..... . . . . .

#### 17. Other Observations.

I certify that no .....the pressure vessel described above was thoroughly cleaned and (so far as its construction permits) made accessible for thorough examination and for such tests as were necessary for thorough examination and that on the said date, I thoroughly examined this pressure vessel of including its fittings, and that the above is a true report of my examination.

Signature .....

Qualification . . . . .

Address . . . . .

Date . . . . .

If employed by a Company or Associations give name and address . . . . .

By Order of the Governor,  
R. K. CHATURVEDY,  
Secretary to the Government.

*Published in Raj. Raj-patra part IV (c) dated July 21, 1960 at page 157-65*

Industries (C) Department

NOTIFICATION

Jaipur, March 1960.

No. D. 13028/F.8(1)(12)Lab./58.—In exercise of the powers conferred by section 110 of the Factories Act, 1948 (Act LXIII of 1948), the Government of Rajasthan does hereby make the following Amendments in Rajasthan Factories Rules, 1951, the same having been previously published, namely:—

AMENDMENT

In the said rules:—

In rule 105,—

(i) for clause (1) the following shall be substituted:—

(1) Annual return—On or before the 15th January, of each year, an annual return, in duplicate in form No. 23 relating to the following matters.

- (a) Average number of workers employed daily and normal hours worked per week;
- (b) Leave with wages;
- (c) Compensatory holiday;
- (d) Canteens in the case of factories wherein more than 250 workers are ordinarily employed;
- (e) Creches in the case of factories wherein more than 50 women workers are ordinarily employed;
- (f) Shelters, rest rooms and lunch rooms in the case of factories wherein more than 150 workers are ordinarily employed;

(ii) Clause (6) shall be renumbered as clause (4) and therein the figure '27' shall be replaced by the figure '25'.

(iii) Clauses (4), (5), (7), (8) and (9) shall be deleted.

2. Existing Forms Nos. 25, 26, 32, 33, 34 shall be deleted and Form No. 27 shall be renumbered as Form No. 35 and therein for the words and figures "sub-section 6" the word, figure and brackets, "sub-clause (4)" shall be substituted.

3. Form No. 23 shall be substituted by the following form:—

## FORM No. 23.

(Prescribed under clause (1) of Rule 105)

## Annual Returns

Year ending 31st December, 19 .

Name of Factory..... .. ....

Name of Occupier... .. ....

Name of Manager..... .. ....

1. District .. . . .
  2. Postal Address . . . . .
  3. Nature of Industry . . . .
  4. Average number of workers employed daily.—
 

Men..... .. ....
Women..... .. ....
Adolescents..... .. ....
Male
Female..... .. ....
Children..... .. ....
Male..... .. ....
Female..... .. ....
- 

\*The average daily number should be calculated by dividing the aggregate number of attendances on working days by the number of working days, in the year. In reckoning attendances, attendances temporary as well as permanent employees should be counted, and all employees should be included, whether they are employed directly or under contractors. Attendances on separate shifts (e.g. night and day shifts) should be counted separately. Days on which the factory was closed for whatever cause, and days on which the manufacturing processes were not carried on should not be treated as working days. Partial attendance for less than half a shift on a working day should be ignored, while attendance for half a shift or more on such days should be treated as full attendance.

- | 5. Normal hours worked per week— | Men.      |
|----------------------------------|-----------|
|                                  | Women.    |
|                                  | Children. |
6. Number of days worked in the year.
  7. Does the factory come under:—
    - (i) Section 87.
    - (ii) Section 93.
  8. Average daily number of workers employed in dangerous operations.

## LEAVE WITH WAGES

9. Total number of persons employed during the year.—
 

Men..... .. ....
Women..... .. ....
Children..... .. ....

10. "number of persons who are entitled to annual leave with wages during the calendar year to which this return relates."  
 Men.....  
 Women.....  
 Children ..
11. Number of persons who were granted leave during the year.  
 Men ..  
 Women ..  
 Children ..
12. Number of persons who gave notice not to avail themselves of leave during the year in which leave accrued,—  
 Men.....  
 Women.....  
 Children.....
13. Number of workers discharged or dismissed from service during the year.
14. Number of discharged workers paid wages in lieu of leave.
15. Total amount of wages paid in lieu of leave.

#### COMPENSATORY HOLIDAYS.

16. Number of workers exempted from section 52 of the Factories Act,—  
 Men  
 Women
17. Number of workers who received holidays in the,  
 1. Same month.....  
 2. Following month ..  
 3. Third month.....

#### TYPE OF CANTEEN

Providing Cooked Food and refresh-	Providing Cooked food only	Providing refresh-	Providing tea only	Approximate expenditure borne by the workers	Items of expenditure borne by the Occupier separately the total expenditure borne by the Occupier in subsidising sale of food stuffs or in daily selling food stuffs below cost price
(A)⌘	(B)⌘	(C)⌘	(D)⌘	1	2
				3	4
				5	6

⌘ While furnishing information please use symbols.

18. Number of children admitted to the Creche.—  
CRECHE
19. Approximate average daily attendance of children at the Creche:—
  - (a) two years and below.....
  - (b) above two years.....
20. Details of facilities provided with regards to,—
  - (a) Milk.....
  - (b) Food.....
  - (c) Clothes.....
  - (d) Toys .....
  - (e) Medical Aid.....
  - (f) Others.....
21. Details of staff employed,—
  - (i) Doctors.....
  - Male.....
  - Female.....
22. (i) Nurses.....  
 (ii) Teachers.....  
 (iii) Ayahs.....  
 (iv) Sweepers.....

### SHELTERS, REST ROOMS AND LUNCH ROOMS

23. Approximate average daily attendance of workers at the shelter, rest room or lunch room.....
24. Details of facilities provided with regard to drinking water.
25. Details of accommodation, furniture and other equipment provided.

Date.....

Signature of Manager.

**Note:**—Rule 100 (1) of the Rajasthan Factories Rules, 1951 and section 93 of the Factories Act, 1948, are printed in extension on the reverse of the form.

( on the reverse )

### Rule 100 (1) Dangerous Operations.

“The Following operations when carried on in any factory are declared to be dangerous operations under section 87:—

1. Manufacture of aerated water and process as incidental thereto.
2. Electrolytic plating or exidation of metal articles by use of an electrolyte containing chromia acid or other chromium compounds.
3. Manufacture and repair of electric accumulators.
4. Glass manufacture.
5. Grinding or glazing of metals.
6. Manufacture and treatment of lead and certain compounds of lead.

7. Generating petrol gas from petrol.
8. Cleaning or smoothing of articles by a jet of sand, metal shot or grit or other abrasive propelled by a blast of compressed air or steam.
9. Liming and tanning of raw hides and skins and processes incidental thereto.
10. Manufacture of chromic acid or manufacture of recovery of the Bichromate of sodium, potassium or ammonium.
11. Manipulation of nitro or amide compounds.
12. Manipulation of acids or alkalies.

*Section 93.—Liability of owner of premises in certain circumstances.*

1. Where in any premises separate buildings are leased to different occupiers for use as separate factories, the owner of the premises shall be responsible for the provisions and maintenance of common facilities and services, such as approach roads, drainage, water supply, lighting and sanitation.

2. The Chief Inspector shall have, subject to the control of the State Government, power to issue orders to the owner of the premises in respect of the carrying out of the provisions of sub-section (1).

3. Where in any premises, independent or self contained floors or flats are leased to different occupiers for use as separate factories, the owner of the premises shall be liable as if he were the occupier or manager of a factory, for any contravention of the provisions of this Act, in respect of:—

- (i) Latrines, urinals and washing facilities in so far as the maintenance of the common supply of water for these purposes is concerned;
- (ii) Fencing of machinery, and plant belonging to the owner and not specifically entrusted to the custody or use of an occupier;
- (iii) safe means of access to the floors or flats and maintenance and cleanliness of staff cases and common passages;
- (iv) precautions in case of fire;
- (v) maintenance of hoists and lifts; and
- (vi) maintenance of any other common facilities provided in the premises.

4. The Chief Inspector shall have, subject to the control of the State Government, power to issue orders to the owner of premises in respect of the carrying out the provisions of sub-section (3).

5. The provisions of sub-section (3) relating to the liability of the owner shall apply where in any premises independent rooms with common latrines, urinals and washing facilities are leased to different occupiers for use as separate factories.

Provided that the owner shall be responsible also for complying with the requirements relating to the provisions and maintenance of latrines, urinals and washing facilities.

6. the Chief Inspector shall have, subject to the control of the State Government, the power to issue orders to the owners of the premises referred to in sub-section (5) in respect of the carrying out of the provisions of section 46 or section 48.

7. Where in any premises portions of a room of a shed are leased to different occupiers for use as separate factories, the owner of the premises shall be liable for any contravention of the provisions of,—

- (i) Chapter III, except sections 14 and 15;
- (ii) Chapter IV, except sections 22, 23, 27, 34, 35 and 36.

Provided that in respect of the provisions of sections 21, 24, 32, the owners' liability shall be only in so far as such provisions relate to things under his control:

Provided further that the occupier shall be responsible for complying with the provisions of Chapter IV in respect of plant and machinery belonging to or supplied by him.

- (iii) Section 42.

(8) The Chief Inspector shall have, subject to the control of the State Government, powers to issue orders to the owners of the premises in respect of the carrying out the provisions of sub-section (7).

9. In respect of sub-sections (5) and (7) while computing for the purposes of any of the provisions of this Act the total number of workers employed, the whole of the premises shall be deemed to be single factory."

By Order of the Governor,

R. K. CHATURVEDY,  
Secretary to the Government.

Published in Raj. Raj-patra part IV (c) dated November 24, 1960 at page 509

Labour Department  
NOTIFICATION  
Jaipur, October 31, 1960.

No. F. 3 (78)/Lab./58.—In exercise of the powers conferred by section 112 of the Factories Act, 1948 (LXIII of 1948), the State Government hereby makes the following amendments to the Rajasthan Factories Rules, 1951, the name having been previously published in the Rajasthan Gazette Part III (B), dated 2-7-59.

**AMENDMENTS**

*In the said Rules—*

- (1) In rule 29 in the heading the word 'artificial' shall be omitted.
- (2) In clause 2 (a) of the schedule under rule 101—
  - (i) for the word 'Vessel' the word 'Plant' shall be substituted.
  - (ii) the words "or supplying" shall be inserted between the words "containing and steam".
  - (iii) The words "other than plant which comes within the scope of the Indian Boilers Act" shall be omitted and full-stop shall be placed after the word "pressure".

By order of the Governor,  
**GOVERDHAN SINGH,**  
Secretary to the Government.

# RAJASTHAN FACTORIES RULES, 1951

## NOTIFICATION

Jaipur, January 10, 1963.

No. F. 3 (124) Lab./61.—In exercise of the powers conferred by section 83 read with section 112 of the Factories Act, 1948 (Central Act LXIII of 1948), the State Government hereby makes the following amendment in the Rajasthan Factories Rules, 1951, the same having been previously published in the Rajasthan Gazette, Part III (Kh), dated 12-4-32 as required by section 115 of the said Act, namely:—

### AMENDMENTS

In the said Rules, rule 93,—

1. for sub-rule (1) the following sub-rule shall be substituted, namely:—

(1) The Manager shall provide each worker who has become entitled to leave during a calendar year with a book in Form No- 17 (hereinafter called the Leave Book) not later than 31st January of the following calendar year. The leave book shall be the property of the workers, and the Manager or his agent will not demand it except to make entries of the date, holidays, or interruptions in service, and shall not keep it for more than a week at a time:

Provided that in case of a worker who is discharged or dismissed from Service during the course of the year, i. e. who is covered under sub section (3) of section 79 of the Factories Act, 1948, the Manager shall issue an abstract from the "Register of leave with Wages" in ( Form No. 16 ) within a week from the date of discharge or dismissal, as the case may be. )

2. The words "one anna" occurring in sub-rule (2) shall be substituted by the words "15 Naye Paise."

By Order of the Governor,  
S. P. SINGH BHANDARI,  
Secretary to the Government.

[ Published in Raj. Raj-patra part IV(c) Dated 2-7-63 at Page 911 ]

Notification No F. 3 (9) Lab/62.—In exercise of the powers conferred by sub-section (4) of section 45 read with section 112 of the Factories Act, 1948 Central Act LXIII of 1948, the State Government hereby makes the following amendments to the Rajasthan Factories Rules, 1951, the said amendments having

been previously published in Rajasthan Gazette Part III (Kha), dated the 31st January, 1963 as required by section 115 of the said Act, namely;—

### AMENDMENTS

In the said rules, the following explanation shall be added to sub-rule (2) of rule 68, namely:—

“Explanation.—In this rule, the expression ‘qualified medical practitioners’ means a person holding qualifications granted by an authority specified in the Schedule to the Indian Medical Degrees Act, 1916 (Central Act VII of 1916), or in the Schedules to the Indian Medical Council Act, 1956 Central Act C-II of 1956).

*Notification No. F. 3 (21) Lab/58/4946.*—In exercise of the powers conferred by sections 31 and 112 of the Factories Act, 1948 (Act LXII of 1948), the State Government hereby makes the following amendment in the Rajasthan Factories Rules, 1951, the same having been previously published in the Rajasthan Rajpatra, Part III (Kha), dated the 7th June, 1962, namely:—

### AMENDMENTS

In rule 58 of the said rules, after sub-rule (12) the following sub-rule shall be added, namely:—

“13—Exception.—The chief Inspector may, except stipulating such conditions if necessary, any or all pressure vessels from any or all the rules above; if he has reason to believe that the construction or use of these vessels is such that the inspection provisions are not necessary or not practicable.”

[Rajasthan Gazette-Part IV (Ga)—dated 19-9-63, Page 319]

*Notification No. F. 3 (21) L and E/58.*—In exercise of the powers conferred by section 112 read with section 87 of the Factories Act, 1948 (Central Act, LXIII of 1948), the State Government hereby makes the following amendments to the Rajasthan Factories Rules, 1951, the same having been previously published in Rajasthan Gazette Part III (kha) dated 3-10-1963, namely:—

### AMENDMENTS

In rule 100 of the said Rule,—

(a) after clause 9 of sub-rule (1), the following clauses shall be inserted, namely:—

10. Manufacture of chemicals and processes incidental thereto.
11. Manufacture of pottery and processes incidental thereto.
12. Printing presses and type foundaries—certain lead processes carried therein.
13. Manufacture of bangles and other articles from cinematograph film and toxic and inflammable solvents : and

(b) after Schedule IX, the following Schedules shall be inserted, namely :—

#### SCHEDULE X

##### Manufacture of Chemicals and Processes incidental thereto.

*Application.*—The provisions specified in this Schedule shall apply to all manufactures and processes incidental thereto carried on in chemical works and shall be in addition to and not in derogation of any provision of the Act or any other Rules made thereunder or of any other Act or Rules.

2. *Definitions.*—For the purpose of this Schedule—

(a) “Chemical Works” means any factory or such parts of any factory as are named in Annexure 1 to this Schedule;

(b) “breathing apparatus” means (1) a helmet or face piece with necessary connections by means of which a person using it in poisonous, asphyxiating or irritant, atmosphere breaths ordinary air, or (2) any other suitable apparatus approved in writing by the Chief Inspector ;

(c) “life-belt” means a belt made of leather or other suitable material which can be securely fastened round the body, with a suitable length of rope attached to it, each of which is sufficiently strong to sustain the weight of a man ;

(d) “efficient exhaust draught” means localised ventilation affected by mechanical or other means for the removal of gas, vapour, fume or dust to prevent it from escaping into the air of any place in which work is carried on ;

(e) “surgeon” means a Certifying Surgeon appointed under section 10 of the Act ;

(f) “Suspension” means suspension by written certificate in the Health Register, signed by the surgeon, from employment in any process mentioned in the certificate ;

(g) “bleaching powder” means the bleaching powder commonly called chloride of lime ;

(h) “chlorate” means chlorate or perchlorate ;

(i) "caustic" means hydroxide of potassium or sodium;

(j) "caustic pot" means a metal pot fixed over a furnace or flue and surrounded by brickworks, such as is commonly used for concentrating caustic liquor, whether such pot be used for concentrating or boiling caustic or other liquor;

(k) "chrome process" means the manufacture of chromate or bichromate of potassium or sodium, or the manipulation, movement or other treatment of these substances in connection with their manufacture; and

(l) "nitro or amino process" means the manufacture of nitro or amino derivatives of phenol and of benzene or its homologues, and the making of explosives with the use of any of these substances.

**3. Exemptions.**—If the Chief Inspector is satisfied in respect of any factory or any process that, owing to the special conditions or special methods of work, or by reason of the infrequency of the process or for other reasons all or any of the requirements of this Schedule are not necessary for the protection of persons employed in any factory or process he may by order in writing (which he may at his discretion revoke) exempt such factory or process from all or any of the provisions of this Schedule, subject to such conditions as he may by such order prescribe.

## PART I

### Applying to all the works in Annexure I—

#### General

**4. House keeping.**—(a) Every part of the ways, works, machinery and plant shall be maintained in a clean and tidy condition.

(b) Any spillage of materials shall be cleaned up without delay.

(c) Floors, platforms, stairways, passages and gangways shall be kept free of temporary obstructions.

(d) There shall be provided easy means of access to all parts of plant to facilitate cleaning, maintenance and repairs.

**5. Improper use of Chemicals.**—(a) No chemicals or solvents shall be used by workers for any purpose apart from the processes for which they are supplied.

(b) Workers shall be instructed on the possible dangers arising from such misuse. These instructions shall further be displayed in bold letters in prominent places in different sections.

6. *Storage of food and tasting.*—(a) No food, drink, tobacco, pan or similar article shall be stored or consumed on or near any part of the plant.

(b) Workers shall be instructed on the possible dangers arising from the tasting of materials, or of the use for drinking purposes of any vessel used in, or in connection with, the manufacture of chemicals. These instructions shall further be displayed in bold letters in prominent places in the different sections.

7. *Process hazards.*—Before commencing any large scale experimental work, or any new manufacture, all possible steps shall be taken to ascertain definitely all the hazards involved both from the actual operations and the chemical reactions. The properties of the raw materials used, the final products to be made, and any bye products arising during manufacture, shall be carefully studied and provisions shall be made for dealing with any hazards including effects on workers; and surroundings, which may arise during manufacture. The design of the buildings and plant shall be based on the information so obtained.

8. *Unauthorised Personnel and visitors;*—(a) Unauthorised persons shall not be permitted to enter any section of the factory or plant where there are special dangers,

(b) Visitors shall be provided, where necessary, with suitable safety equipment and shall be accompanied around dangerous plant by a responsible official.

9. *Instruments.*—All instruments such as pressure gauges, thermometers, flow meters and weighing measures shall be tested at regular intervals by a competent person and records of these tests shall be kept in a register.

10. *Cocks and Valves.*—Suitable valves shall be provided in all service lines at sufficient short intervals for convenience in blanking off etc. All cocks and valves shall be operated at least once a month, and tested periodically by a competent person and records of these tests shall be kept in a register. A plan of all service installations shall be kept readily available for perusal.

11. *Manholes.*—No manhole shall be opened for entry until effective fencing has been erected round it.

12. *Emergency instructions.*—Simple and special instructions shall be framed to ensure that effective measures will be carried out in cases of emergency, to deal with escapes of inflammable, poisonous or deleterious gases, vapours, liquids or dusts. These instructions shall further be displayed in bold letters at prominent places in the different sections in Hindi and

English. All workers shall be trained and instructed in the action to be taken in such emergencies and in the general hazards of their employment.

13. *Protection of reaction mixtures*.—Suitable arrangements shall be made to ensure that no foreign matter of any sort can fall into reaction mixtures.

14. *Electrical apparatus*.—Electrical plant, fittings and conductors shall, if exposed to a damp or corrosive atmosphere, be adequately protected. Periodic tests shall be carried out on all circuits.

15. *Place of works*.—(a) Workers shall only be allowed in those places in which they have been given orders to work.

(b) In dangerous sections of a factory, the number of workers shall be kept to a minimum compatible with the process.

16. *Packing, storage and transport of chemicals*.—Chemicals shall be packed and stored in containers suitable for the purpose and of adequate strength for storage or transport. All such containers shall be suitably labelled so that they will be stored and transported in such a manner as to ensure that, in the event of a spillage, they will neither produce a reacting mixture, nor cause the development of toxic or fire risks in contact with other products in its vicinity or with walls, floors or dusts thereon.

17. *Fire and explosion risks*.—(a) Site Buildings and plant shall be sited with due regards to the dangers which may arise from the processes involved and in particular shall be spaced at distances which are deemed safe for the fire and explosive risks connected with the processes in adjacent buildings. Due consideration shall be given to the effect of any processes carried out in adjacent factories.

(b) *Isolation of buildings*.—Where special dangers exist, separate buildings shall be used for the different parts of a process. They shall be spaced at sufficient distances apart and shielded to prevent damage to each other in the event of fire or explosion, and shall be safeguarded by the provision of suitable blow-out panels or roofs. Where the risk of fire or explosion is considerable, the building shall be divided by blast or protective screen walls.

(c) *Fire resistance*.—No combustible materials shall be used in the erection of working buildings, unless there are special reasons necessitating their use, when they shall be rendered fire resistant. The roof shall be of light fire resistant constructions and floors shall be impervious fire and resistant material and shall be regularly maintained in such condition.

18. *Dangers of ignition (including installation)*.—(a) No internal combustion engine, and no electric motor or other elec-

tric equipment capable of generating sparks or otherwise causing combustion shall be installed or used in a building or danger zone. Electric conductor shall be fitted with screw + steel conduit.

(b) All hot exhaust pipes shall be installed outside a building and other hot pipes shall be suitably protected.

(c) Portable electric hand lamps shall not be used unless of an intrinsically safe type and portable electric tools connected by flexible wires shall also not be used unless of the flame proof type.

(d) Where an inflammable atmosphere may occur the sole of footwear worn by workers shall have no metal on them and the wheels of trucks or conveyors shall be of conducting non-sparking materials. Adequate precautions shall be taken to prevent the ignition of explosive or inflammable substances sparks omitted from locomotives or other vehicles operated in the factory or on public lanes.

(e) No electric arc lamp, or naked light, fixed or portable, shall be used and no person shall have in his possession any match or any apparatus of any kind for producing a naked light or spark in or on or about any part of the factory where there is liability to fire or explosion from inflammable gas, vapour or dust and all incandescent electric lights in such parts shall be in double air tight glass covers.

(f) Prominent notices in the language understood by the majority of the workers and legible by day and by night, prohibiting smoking, the use of naked lights and the carrying of matches or any apparatus for producing a naked light or spark, shall be affixed at the entrance of every room or place where there is the risk of fire or explosion from inflammable gas, vapour or dust. In the case of illiterate workers, the contents of the notices shall be fully and carefully explained to them when they commence work in the factory for the first time and again when they have completed one week at the factory,

(g) A sufficient supply of spades, scrapers and pails made from non-sparking material shall be provided for the use of persons employed in cleaning out or removing residues from any chamber, still tank or other vessel where an inflammable or explosive danger may occur.

**Note:**—This risk is not always obvious and may arise, for example through the production of hydrogen in acid tanks.

**19 Static Electricity.**—(a) All machinery and plant, particularly pipe lines and belt drives, on which static electricity is

likely to accumulate, shall be effectively earthed. Receptacles for inflammable liquids shall have metallic connections to the earthed supply tanks to prevent static sparking. Where necessary, humidity shall be controlled.

(b) Mobile tank wagons shall be earthed during filling and discharge, and precautions shall be taken to ensure that earthing is effective before such filling or discharge takes place.

(c) Lighting protection apparatus shall be fitted where necessary and shall be maintained in good condition.

**20. Process heating.**—The method providing heat for a process shall be as safe as possible and where the use of naked flame is necessary, the Plant shall be so constructed as to prevent any escaping inflammable gas, vapour or dust coming into contact with the flame, or exhaust gases or other hot agency likely to cause ignition. So far as practicable, the heating medium shall be automatically controlled at a predetermined temperature below the danger temperature.

**21. Escape of Materials.**—(a) Provisions shall be made in all plants, sewers, drains, flues; ducts, culverts and buried pipes to prevent the escape and spread of any liquid, gas, vapour, fume or dust likely to give rise to fire or explosion, both during normal working and in the event of accident or emergency.

(b) If escape occurs, such substances shall be removed expeditiously and efficiently at the point of liberation. The effluents shall be trapped and rendered safe outside the danger area.

**22. Leakage of inflammable liquids.**—(a) Provision shall be made to confine by means of bund walls, sumps, etc. possible leakages from vessels containing inflammable liquids.

(b) Adequate and suitable fixed fire-fighting appliances shall be installed in the vicinity of such vessels.

**23. Cleaning of empty containers and storage of combustible materials.** (a) All empty containers which have held inflammable liquids, and metal containers which have held sulphuric acid shall be rendered permanently safe as soon as practicable, and shall not be repaired or destroyed until such cleaning has been completed.

(b) Combustible and inflammable materials shall not be stored in close proximity to chemicals which are liable to cause ignition.

(c) Rubbish shall be removed from building without delay and placed in special metal containers provided with close fitting lids, the contents shall be removed daily and suitably dealt with. Waste products containing inflammable or explosive

materials shall not be placed on rubbish heaps but shall be destroyed in an appropriate manner.

**24. Installing of pipe lines for inflammable liquids.**—All pipe lines for the transport of inflammable liquids shall be protected from breakage, shall be arranged so that there is no risk of mechanical damage from vehicles and shall be so laid that they drain throughout without the collection of deposits at any part. All flanged joints, bends and other connections shall be regularly inspected. Cocks and valves shall be so constructed that explosive residues cannot collect therein. The open and closed positions of all cocks and valves shall be clearly indicated on the outside.

**25. Packing of reaction vessels.**—Packing and joints materials for reaction vessels (including covers, manhole covers and exhaust pipe) and the pipe lines and high or low temperature insulating materials shall not contain materials which are combustible or which react with the products of the plant.

**26. Safety valves.**—Every still and every closed vessel in which gas is evolved or into which gas is passed, in which the pressure is liable to rise to a dangerous degree, shall have attached to it a pressure gauge, and a proper safety valve or other equally efficient means to relieve the pressure, maintained in good condition. Nothing in this schedule shall apply to metal bottles or cylinders used for the transport of compressed gases.

**27. Vigorous or delayed reactions.**—Suitable provision, such as automatic and distant control shall be made for controlling the effects of unduly vigorous or delayed reactions. Automatic flooding or blanketing shall be provided for in the event of an accident.

**28. Examination testing and repair of plant.**—Examination testing and repair of plant parts which have been in contact with explosive and inflammable material, or which is under pressure, shall only be carried out under proper supervision.

**29. Alarm Systems**—(a) Gravity or pressure feed systems of applying inflammable materials to the various parts of the buildings or plant shall be fitted with alarm systems, automatic cut-offs or other devices to prevent over charging or otherwise endangering the plant.

(b) The amount of inflammable material taken into a building in bulk containers at any one time shall be kept as low as practicable.

(c) Adequate steps shall be taken to prevent the escape of inflammable and explosive vapour from any container into the atmosphere of any building.

*30. Gas Vapour, fume or dust risks and escape of gases, etc.-*

(a) Effective steps shall be taken to prevent the escape of dangerous gases, vapours, fumes or dust from any part of the plant, by the total enclosure of the process involved or by the provision of efficient exhaust draught. Effective arrangements shall be made to ensure that in the event of failure of the control measure provided in compliance of the foregoing, the process shall stop immediately.

(b) In the event of any such escape, provision shall be made to trap the materials and render them safe.

*31. Danger due to effluents.—(a)* Adequate precautions shall be taken to prevent the mixing of effluents which may cause dangerous or poisonous gases to be evolved.

(b) Effluents which may contain or give rise, in the presence of other effluents to such gases shall be provided with independent drainage systems to ensure that they may be trapped and rendered safe.

*32. Staging.—a)* Staging shall not be erected over any open vessel, unless the vessel is so constructed and ventilated to prevent the omission of vapour or fumes about such staging.

(b) Where such staging is provided to give access to higher levels in large plants effective means shall be provided at all levels with direct means of access to the outside of the room or building and thence to ground level.

(c) Such staging shall be fitted with suitable hand rails and toeboards, and the floors and staging shall be impervious and easily cleaned.

*33. Instructions as regards risk.—* Before commencing work every worker shall be fully instructed on the properties of the materials they have to handle, and of the dangers arising, from a gas, fume, vapour or dust which may be evolved during the process. Workers shall also be instructed in the measures to be taken to deal with such an escape in the event of emergency.

*34. Breathing apparatus.—(a)* There shall be provided in every factory where dangerous gas or fume is liable to escape a sufficient supply of:-

(i) breathing apparatus of an approved make for the hazards involved;

(ii) oxygen and suitable means of its administration; and

(iii) Life-belts.

The breathing apparatus and other appliances required by this schedule shall—

(i) be maintained in good order and kept in an ambulance room or in some other place approved in writing by the Chief Inspector, and

(ii) be thoroughly inspected once every month by a competent person, appointed in writing by the occupier and a record of their condition shall be entered in a book provided for that purpose, which shall be produced when required by an Inspector.

(b) Workers shall be trained, and given periodic refresher-course in the use of breathing apparatus and respirators

(c) Respirators shall be kept properly labelled in clean dry light-proof cabinets, and if liable to be affected by fumes, shall be protected by suitable containers. Respirators shall be dried and cleaned after use and shall be periodically disinfected.

**35. Treatment of persons.**—In every room or place wherever required in writing by the Chief Inspector there shall be affixed the official cautionary notice regarding gassing and burns. Such notices shall be legible by day and by night and shall be printed in the language understood by the majority of the workers.

**36. Personnel protective equipment.**—(a) Suitable protective clothing shall be provided for the use of operatives,—

(i) When operating valves or cocks controlling fluids which by their nature, pressure or temperature would be highly dangerous if a blowout occurred or when cleaning chokes in systems containing such fluids if pressure is likely to exist behind the chokes.

(ii) When there is danger of injury by absorption through the skin during the performance of normal duties or in the event of emergency,

(iii) Whenever there is the risk of injury in handling corrosive substances, hot or cold articles and sharp or rough objects, and

(iv) When there is the risk of poisonous materials being carried away on their clothes.

(b) There shall be provided for the use of all persons employed in the processes specified in Annexure I to this Schedule an adequate supply of suitable protective equipment including gloves, overalls, protective footwear, goggles and respirators. Respirators shall be of a type approved in writing by the Chief Inspector.

(c) Protective equipment shall be provided and stored in the appropriate place for use during abnormal conditions or in an emergency.

(d) Arrangements shall be made for the proper and efficient cleaning of all such protective equipment.

**37. Cloak-rooms.**—There shall be provided and maintained for the use of all persons employed in the processes specified in Annexure II to this Schedule a suitable cloak-room for clothing put off during working hours and a suitable place separate from the cloak-room for the storage of overalls or working clothes. The accommodation so provided shall be placed in the charge of a responsible person, and shall be kept clean.

**38. Special bathing accommodation.**—(a) There shall be provided for the use of all persons employed in the processes specified in Annexure III to this Schedule separate sanitary conveniences and sufficient and suitable bathing facilities, which shall be to the satisfaction of the Chief Inspector.

(b) A bath register shall be kept containing the names of all persons employed in these processes and an entry of the date when each person takes bath.

**39. Entry into vessels.**—(a) Before any person enters, for any purpose except that of rescue, any absorber, boiler, culvert, drain flue, gas purifier, sewer, still tank, tower, vitriol chamber or other place where there is reason to apprehend the presence of dangerous gas or fume, a responsible person appointed in writing by the occupier for the purpose, shall personally examine such place and shall certify in writing in a book kept for the purpose either that such place is isolated and sealed from every source of gas or fume and is free from danger, or that it is not so isolated and sealed and free from danger. No person shall enter any such place which is certified not to be so isolated and sealed and free from danger, unless he is wearing a breathing apparatus, and (where there are not cross stays or obstructions likely to cause entanglement) a life-belt the free end of the rope attached to which shall be left with a man outside whose sole duty shall be to keep watch and to draw out the wearer if he appears to be affected by gas or fume. The belt and rope shall be so adjusted and worn that the wearer can be drawn up head foremost through any manhole or opening.

(b) A person entering for the purpose of rescue any such place for which a clearance certificate has not been issued shall wear a breathing apparatus and a life-belt in the manner specified.

**40. Examination and repair of plant.**—Where poisonous materials are likely to be present the examination and repair of plant and piping shall only be done under the supervision of a competent person, and after the plant and piping has been thoroughly cleansed and ventilated. When opening vessels and breaking joints in pipe lines, respirators, goggles and prote-

ctive clothing shall be worn to the extent required by the competent person.

41. *Storage of acid carboys.*—Carboys containing nitric acid or "mixed" acid shall be stored in open sided sheds detached from other buildings, and placed on a flooring of sandstone brick or other suitable in organic material. A passage way shall be provided and kept free from obstructions between every four rows of such carboys. An ample supply of water shall be available for washing away spilt acid and all precautions shall be taken to prevent workers being exposed to fumes.

42. *Corrosive or deleterious substances risks in buildings.*—All buildings and plant shall be sited with due regard to possible dangers from accidental liberation or splashing of corrosive and deleterious liquids, and shall be so designed as to facilitate through washing and cleaning. The construction of staging and other parts of buildings shall be carried out with materials impervious and resistant to corrosion so far as practicable.

43. *Leakage.*—(a) All plant shall be so designed and constructed as to obviate the escape of corrosive liquid, where necessary, separate buildings, rooms, or protective structures shall be used for the dangerous stages of the process and the building, shall be so designed as to localise any escape of liquid.

(b) Catch pits, bund walls or other suitable precautions shall be provided to restrict the serious effects of such leakages. Catch pits shall be placed below joints in pipe lines where danger is involved to maintenance and other workers from such leakage.

(c) Passages and work-stations shall not be situated directly below any part of plant where there is risk of escape of dangerous liquid. Access to such parts shall, so far as practicable, be prohibited and danger notices shall be affixed at suitable points.

44. *Precautions against escape.*—Adequate precautions shall be taken to prevent the escape of corrosive or deleterious substances and means shall be provided for rendering safe any such escape.

45. *Drainage.*—Adequate drainage shall be provided and shall lead to special treatment tanks where deleterious material shall be neutralised or otherwise rendered safe before it is discharged into ordinary drains or sewers.

46. *Covering of vessels.*—(a) Every fixed vessel or structure containing any dangerous material, and not so covered as to eliminate all reasonable risk of accidental immersion in it of any portion of the body of a worker, shall be so constructed that there is no foothold on the top or the sides.

(b) Such vessel shall unless its edge is at least three feet above the adjoining ground or platform, be securely fenced to a height of at least three feet above such adjoining ground or platform.

(c) No plank or gangway shall be placed across or inside any such vessel unless such plank or gangway is at least 18 inches wide, and is securely fenced on both sides by rails spaced at 9 inches apart to a height of at least 3 feet, or by other equally efficient means.

(d) Where such vessels adjoin and the space between them, clear of any surrounding brick or other work, is either less than 18 inches in width or is 18 or more inches in width, but is not securely fenced on both sides to a height of at least three feet, secure barriers shall be so placed as to prevent passage between them:

Provided that sub Clause (b) shall not apply to:—

- (i) saturators used in the manufacture of sulphate of ammonia, and
- (ii) that part of the sides of brine evaporating pans which require raking, drawing or filling.

47. *Ventilation*.—Adequate ventilation shall be provided and maintained at all times in rooms or buildings where dangerous gas, vapour, fume or dust may be evolved.

48. *Means of escape*.—Adequate means of escape from rooms or buildings in the event of a leakage of corrosive liquid shall be provided and maintained.

49. *Treatment of Personnel*.—In all places where (strong acids or dangerous) corrosive liquids are used:—

- (a) There shall be provided for use in an emergency:—
  - (i) adequate and readily accessible means of drenching with cold water persons, and the clothing of persons, who have become splashed with such liquid ;
  - (ii) adequate special arrangements to deal with any person who has been splashed with poisonous material that can be absorbed through the skin; and
  - (iii) a sufficient number of eye wash bottles, filled with distilled water or other suitable liquid, kept in boxes or cupboards conveniently situated and clearly indicated by a distinctive sign which shall be visible at all times.
- (b) Except where the manipulation of such corrosive liquids is so carried on as to prevent risk of personal injury for splashing or otherwise there shall be provided for those who have to manipulate such liquids suffi-

cient and suitable goggles and gloves or other suitable protection for the eyes and hands. If gloves are provided they shall be collected, examined and cleansed at the close of the day's work and shall be repaired or renewed when necessary.

50. *Maintenance.*—(a) Before any examination or repairs are carried out on plant or pipe lines, a competent person shall issue a clearance certificate permitting such examination or repairs.

(b) Adequate precautions shall be taken to liberate any pockets of gas or liquid which may have been formed in pipe lines, and which may cause corrosive spray at the point where dismantling takes place.

51. *Washing facilities.*—(1) There shall be provided and maintained in every factory for the use of employed persons adequate and suitable facilities for washing which shall include soap and nail brushes or other suitable means of cleaning and facilities shall be conveniently accessible and shall be kept in a clean and orderly condition.

(2) If female workers are employed, separate washing facilities shall be provided and so enclosed or screened that the interiors are not visible from any place where persons of the other sex work or pass. The entrance to such facilities shall bear conspicuous notice in the language understood by the majority of the workers "For Women" only, and shall be indicated pictorially.

52. *Mess-room facilities*—In every factory there shall be provided and maintained for the use of those remaining on the premises during the rest intervals, suitable and adequate mess-room or canteen accommodation which shall be furnished with sufficient table and chairs or benches with back rests and where sufficient drinking water is available.

53. *Ambulance room*—(a) (i) In every factory, in which more than 250 persons are employed on the processes to which the provisions of this Schedule apply, there shall be provided and maintained in good order an ambulance room.

(ii) The Ambulance Room shall be a separate room used only for the purpose of treatment and rest. It shall have a floor space of not less than 100 square feet, and smooth, hard and impervious walls and floor, and shall be provided with ample means of natural and artificial lighting. It shall contain all the items specified in Annexure IV of this Schedule.

(iii) Where persons of both sexes are employed, arrangements shall be made at the Ambulance Room for their separate treatment.

(iv) The Ambulance Room shall be placed under the charge of qualified nurse or other person trained in First Aid, who shall always be readily available during working hours, and shall keep a record of all cases of accidents or sickness treated in the room.

(b) In every factory there shall be provided and maintained in good conditions a suitably constructed Ambulances Van for the purpose of the removal of serious cases of accidents or sickness, unless arrangements have been made with a hospital or other place in telephonic communication with the factory for obtaining such a carriage immediately when required.

54. *Medical personal.*—There shall be a whole time Medical Officer in every factory employing 250 persons or more.

55. *Medical Examination*—Workers engaged in the manufacture, processing, formulation or use of the following shall be examined by the Certifying Surgeon once in three months (or such other interval as may be prescribed in writing by the Chief Inspector) and records maintained:—

- (i) Hexothyl tata phosphate.
- (ii) Tatra ethyl Pyrophosphate.
- (iii) O.O. Diethyl O-P-nitrophenyl thiophosphate (parathion).
- (iv) Nicotine, nicotine sulphate.
- (v) Mercury derivatives.
- (vi) Methyl bromide.
- (vii) Arsenical derivatives.
- (viii) Cyanides.
- (ix) Chrome Process Compounds.
- (x) Nitro or amino process compounds.
- (a) A Health Register containing the names of all persons employed in the process shall be kept in form approved by the Chief Inspector.
- (b) No person shall be newly employed for more than 14 days without certificate of fitness granted after examination by the Certifying Surgeon, by a signed entry in the Health Register.
- (c) Every person so employed shall present himself at the appointed time for examination by the Certifying Surgeon as provided in (b) of this rule.
- (d) The Certifying Surgeon shall have power of suspension as regards all persons employed and no person after suspension shall be employed without written sanction from the Surgeon and entered in the Health Register.

- ; 56. *Duties of Workers.*—Every person employed shall—
- (a) report to his foreman any defect in any fencing, breathing apparatus, appliance or other requisite provided in pursuance of these rules, as soon as he becomes aware of such defect ;
  - (b) use the articles, appliances or accommodation required by the provisions of this Schedule for the purpose for which they are provided ; and
  - (c) wear the breathing apparatus and life belt where required under clause 39 (a) and (b).
2. No person shall ;—
- (a) remove any fencing provided in pursuance of clause 46, unless duly authorised ; or
  - (b) stand on the edge or on the side of any vessel to which clause 46 applies ; or
  - (c) pass or attempt to pass any barrier erected in pursuance of clause 46 ; or
  - (d) place across or inside any vessel to which clause 46 applies any plank or gangway which does not comply with that clause or make use of any such plank or gangway while in such position ; or
  - (e) take a naked light or any lamp or matches or any apparatus for producing a naked light or spark into, or smoke in any part of the works where there is liability to explosion from inflammable gas, vapour or dust ; or
  - (f) use a metal spade scraper or pail when cleaning out or removing residues from any chamber, still tank, or other vessel which has contained sulphuric acid or hydrochloric acid or other substance which may cause evolution of arsenic retted hydrogen ; or
  - (g) remove from a First Aid Box or cupboard or from the Ambulance Room any First Aid appliance or dressing except for the treatment of injuries in the works.

#### ANNEXURE I

*(See clause 2 (a) of this Schedule)*

*Chemical Works* means any works or that part of a work in which :—

(1) The manufacture or recovery of any of the following is carried on:—

- (a) carbonates, chromates, chlorates, oxides or hydroxides of potassium, sodium, iron, aluminium, cobalt, nickel, arsenic, antimony, zinc or magnesium ;

- (b) ammonia and the hydroxide and salts of ammonium;
- (c) sulphurous, sulphuric, nitric, hydrochloric, hydro-fluoric, hydriodic, hydro-sulphuric, horic, phosphoric, oxalic, arsenious, arsenic lactic, arstic tariartic or citric acids and their metallic or organic salts ; and
- (d) cyanogen compounds.

(2) A wet process is carried on—

- (a) for the extraction of metal from are or from any bye product or residual material ; or
- (b) in which electrical energy is used in any process of chemical manufacture ;

(3) Alkali waste or the drainge therefrom is subject to any chemical process for the recovery of sulphur, or for the utilisation of any constituent of such waste or drainage.

(4) Carbon bisulphide is made or hydrogen sulphide is evolved by the decomposition of metallic sulphides or hydrogen sulphide is used in production of such sulphides.

(5) Bleaching powder is manufactured or cholorine gas is made or is used in any process of chemical manufacture;

(6) (a) Gas tar or coal tar or any compound product or residue of such tars is distilled or is used in any process of chemical manufacture ;

(b) Synthetic colouring matters or their intermediates are made ;

(7) Refining of crude shell oil or any process incidental thereto is carried on ;

(8) Nitric acid is used in the manufaucture of intro com-pounds ;

(9) Explosives are made within the use of nitro com-pounds ; and

(10) Insecticides which may be phosphorous, nicatin, mer-cury, naphthalene, cyanogen, arsenic, flourine, copper, benzene and ethane compounds or dervatives and methyibroxide are manufactured, mixed, blended and packed.

#### ANNEXURE II

(See clauses 36 and 37 of this Schedule)

1. A nitro or amino process (overalls or suits of working clothes and protective footwear).
2. Grinding raw materials in a chrome process (overall suite).
3. The crystal department and in packing in a chrome process (protective coverings),

4. Packing in a chrome process (respirators).

5. Any room or place in which chlorate is crystallised ground or packed (clothing or wollen material and boots or overshoes, the soles of which have on metal no them ).

6. Any room in which caustic is ground or crushed by machinery (goggles and gloves or other suitable protection for the eyes and hands ).

7. Bleaching powder chambers or in packing charges drawn from such chambers (suitable respirators).

8. Drawing off of molten sulphur from sulphur pots in the process of carbon disulphide manufacture (over alls, face shields) gloves and footwear of fire proof material).

9. (a) Manufacture, mixing, blending and packing of insecticides which are phosphorous, nicaltine, naphthalene, cyanogesharasnic, flourine, mercury and copper compounds or derivatives and metillyloroxide ( rubber aprons-chemical type goggles and suitable respirators and in addition rubber gloves and boots for phosphorous and naftoline derivatives synthetic rubber aprons, gloves and boots when working with oil solution and washable working clothes laundered daily).

(b) Manufacture, mixing, blending and packing of insecticides which are derivatives of benzene or ethane ( rubber aprons, and suitable respirators, separate work clothes, laundered frequently).

#### ANNEXURE III

(See clause 38 of this Schedule)

1. A nitro or amino process.

2. The crystal department and the packing room in a chrome process.

3. The process of distilling gas or coal tar ( other than blast furance tar ) and any process of chemical manufacture in which such tar is used.

4. The manufacture, mixing, blending and packing of the insecticides mentioned in Annexure I.

#### ANNEXURE IV

(See clause 53 of this Schedule)

(i) A glazed sink with hot and cold water always available.

(ii) A table with a smooth top.

(iii) Means for sterilising instruments.

(iv) A couch-

- (v) A strucrcher.
- (vi) Two buckets or containers with close fitting lids.
- (vii) Two rubber hot water bags.
- (viii) A kettle and spirit stove or other suitable means of boiling water.
- (ix) Twelve plain wooden splints 36" x 4" x 1/4".
- (x) Six plain wooden splints 10" x 2" x 1/2".
- (xi) Twelve plain wooden splints 14" x 3" x 1/4".
- (xii) Threè woollen blankets.
- (xiii) One pair artery forceps,
- (xiv) One bottle of brandy.
- (xv) Two medium size sponges.
- (xvi) Three hand towels.
- (xvii) Two kidney trays.
- (xviii) Four carbolic soaps.
- (xix) Two glass tumblers and two wine glasses.
- (xx) Fwo clinical thermometers.
- (xxi) Graduated measuring glass with tea spoon.
- (xxii) One eye bath.
- (xxiii) One bottle (2 lbs.) carbolic lotion 1 in 20.
- (xxiv) Two chairs
- (xxv) One Screen.
- (xxvi) One electric hand torch
- (xxvii) An adequate supply of antitetanus serum,
- (xxviii) Two first Aid boxes, each containing :—
  - (a) 24 small sterilized dressings, (b) 12 medium size sterilised dressing, (c) 12 large size sterilized dressing, (d) 12 large size sterilized burn dressing, (e) 12 half ounce packets sterilised cotton wool, (f) one snake bits lancet, (g) one pair of scissors, (h) two (oz.) bottle of potassium perinanguate crystals, (i) one (4 oz.) bottle of salvolatile having the dose and mode of administration indicated on the label, (j) one (4 oz.) bottle containing a two per cent alcoholic solution of iodine, (k) sufficient quantity of burn oil, ointment and dressing or any other modern ointment for treating burn cases and (l) copy of the First Aid leaflet issued by the Chife Advisor Factories, Government of india.
  - (xxix) Full apparatus for administering fluids or plasma.

## PART II

Applying towards or parts thereof in which :—

- I. caustic pots are used ; or
- II. chlorate of bleaching powder is manufactured ; or
- III. (a) gas tar or coal tar is distilled or is used in any process of chemical manufacture ; or

(b) a nitro or amino process is carried on ; or

IV. crude shell oil is refined or processes incidental thereto are carried on ; or

V. nitric acid is used in the manufacture of nitro compounds ; or

VI. the evaporation of brin in open pans and the stoving of salt are carried on ; or

VII. the manufacture or recovery of hydroflurric acid or any of its salts is carried on ;

VIII. work at a furance where the treatment of Zinc ores is carried on ; and

IX. insecticides mentioned in Annexure I are manufactured, mixed, blended or packed.

57. *Entry of gas tar or coal tar still.*—Before any person enters a gas tar or coal tar still for any purpose except that of rescue, it shall be completely isolated from adjoining tar stills, either by disconnecting—

(a) the pipe leading from the swan neck to the condenser worm ; or

(b) the waste gas pipe fixed to the warmpan or receiver, and in addition, blank flanges shall be inserted between the disconnected parts, and the pitch discharge pipe or cock at the bottom of the still shall be disconnected.

58. *Entry into bleaching powder chambers*—(i) No person shall enter a chamber for the purpose of withdrawing the charge of bleaching powder unless and until :—

(i) the chamber is efficiently ventilated ; and

(ii) the air in the chamber has been tested and found to contain not more than 2.5 grains of free chlorine gas per cubic feet.

A register containing detail of all such tests shall be kept in a form approved by the Chief Inspector of Factories.

59 *Special precautions for nitro and amido processes.*—In a nitro or amido process—

(a) if crystallised substances are broken or any liquor agitated by hand means shall be taken to prevent, as far as practicable, the escape of dust or fume into the air of any place in which any person is employed. The handles of all implements used in the operations shall be cleansed daily ;

(d) cartridges shall not be filled by hand except by means of a suitable scoop ;

(c) every drying stove shall be efficiently ventilated to the outside air in such a manner that hot air from the stove shall be drawn into any work room;

(d) no person shall enter a stove to remove the contents until a free current of air has been passed through it;

(e) every vessel containing nitro or amido derivatives of phenol or of benzene or its homologues shall, if steam is passed into or around it, or if the temperature of the contents be at or above the temperature of boiling water, be covered in such a way that steam or vapour shall be discharged into the open air at a height of not less than 25 feet from the ground or the working platform, and at a point where it cannot be blown back again into the workroom.

*60. Precautions during caustic grinding, etc.*—(a) Every machine used for grinding or crushing caustic shall be enclosed; and

(b) Where any the following processes are carried on ;—

(i) grinding or crushing of caustic ;

(ii) packing of ground caustic ;

(iii) grinding, sieving, evaporating or packing in a chrome process ; or

(iv) crushing, grinding or mixing of material of cartridge filing in a nitro or amido process ; an efficient exhaust draught shall be provided.

*61. Chlorate manufacture.*—(a) Chlorate shall not be crystallised, ground or packed except in a room or place not used for any other purpose, the floor of which room or place shall be of cement or other smooth, impervious and incumbustible material, and shall be thoroughly cleansed daily.

(b) Wooden vessels shall not be used for crystallisation of chlorate, or to contain crystallised or ground chlorate ; provided that this clause shall not prohibit the packing of chlorate for sale into wooden casks or other wooden, vessels.

*62. Restrictions on employment of young persons and women.*

(a) persons under 18 years of age and women shall not be employed in any process in which hydroflouric acid fumes or ammonical vapours are given off or in any of the following operations :—

(i) evaporation of brine in open pans;

(ii) stoving of salt;

(iii) work at a furnace where the treatment of zinc ores is carried on ; and

(iv) the cleaning of workrooms where the process mentioned in (iii) is carried on.

(b) No person under 18 years of age shall be employed in a chrome process or in a nitro or amido process or in a process in which the following materials are used or where the vapour of such materials gives off —

Carbon bisulphide, chlorides of sulphur benzene carbon tetrachloride, trichloroethylene, any carbon chlorine compound or any mixture containing any of such materials.

63. *Duties of Employees.*—Every persons employed:—(a) in a process to which clause 36 applied shall wear the protective clothing, foot-wear, respirators, goggles or gloves provided under the said clause and shall deposit overalls or suits or working clothing so provided, as well as clothing put off during working hours in the places provided under clause 37;

(b) in processes to which clause 38 applies shall carefully wash the hands and face before partaking of any food or leaving the premises;

(c) in any processes to which Part II of this Schedule applies shall use the protective appliances supplied in respect of any process in which he is engaged.

## SCHEDULE XI

### Manufacture of Pottery and Process incidental thereto

*Definitions.*—For the purposes of this schedule :—

(a) "Pottery" includes earthen ware, stone ware, porcelain, china tile and any other article made from clay or from a mixture containing clay and other materials such as quartz, flint, feedspar and gypsum;

(b) "efficient exhaust draught" means localised ventilation affected by mechanical or other means for removal of dust or fume so as to prevent it from escaping into the air of any place in which work is carried on. No draughts shall be deemed efficient which fails to remove effectively dust or fume generated at the point where dust or fume originates;

(c) "fettling" includes scalloping, towing, sand papering, sand sticking, brushing or any other process of cleaning of pottery ware in which dust is given off;

(d) "Leadless glaze" means a glaze which does not contain more than 1% of dry weight of a lead compound calculated as lead monoxide;

(e) "Low solubility glaze" means a glaze which does not yield to dilute hydrochloric acid more than five per cent of its dry weight of a soluble lead compound calculated as lead monoxide when determined in the manner described below:

A weighted quantity of the material which has been dried at 1000 C. and thoroughly mixed shall be continuously shaken for one hour, at the common temperature with 1,000 times in weight of an aqueous solution of hydrochloric acid containing 0.25 per cent by weight of hydrogen chloride. This solution shall thereafter be allowed to stand for one hour and then-filtered. The lead salt contained in the clear filtrate shall then be precipitated as lead sulphide and weighed as lead sulphide;

(f) "ground or powdered flint or quartz" does not include natural sands; and

(g) "potters' shop" includes all places where pottery is formed by pressing or by any other process and all places where shaping, fettling or other treatment of pottery articles prior to placing for the biscuit fire is carried on.

2. *Efficient exhaust draught*.—The following process shall not be carried on without the use of an efficient exhaust draught :—

(i) All processes involving the manipulation or use of a dry and unfritted lead compound :

(ii) The fettling operations of any kind, whether on green-ware or biscuit; provided that this shall not apply to the wet fettling, and the occasional finishing of pottery articles without the aid of mechanical power ;

(iii) The shifting of clay dust or any other material for making or other articles by pressure, except where :—

(a) this is done in a machine so enclosed as to effectually prevent the escape of dust, or

(b) the material to be shifted so damp that no dust can be given off.

(iv) The processing of tiles from clay dust, an exhaust opening being connected with each press. This sub-clause shall also apply to the pressing from clay dust of articles other than tiles, unless the material is so damp that no dust is given off.

(v) The fettling of tiles made from clay dust by pressure, except where the fettling is done wholly on, or with, damp material. This sub-clause shall also apply to the fettling of other articles made from clay dust, unless the material is so damp that no dust is given off.

(vi) The process of loading and unloading of saggars where handling and manipulation of ground and powdered flint, quartz alumina or other materials are involved.

(vii) The brushing of earthenware biscuit, unless the process is carried on in a room provided with efficient general

mechanical ventilation or other ventilation which is certified by the Inspector of Factories as adequate, having regard to all the circumstances of the case.

(viii) Fettling of biscuit ware which has been fired in powdered flint or quartz except where this is done in machines so enclosed as to effectually prevent the escape of dust.

(ix) Ware cleaning after the application of glaze by dipping or other process.

(x) Crushing and dry grinding of materials for pottery bodies and saggars, unless carried on in machines so enclosed as to effectively prevent the escape of dust or is so damp that no dust can be given off.

(xi) Sieving or manipulation of powdered flint, quartz, clay grog or mixture of these materials, unless it is so damp that no dust can be given off.

(xii) Grinding of tiles on a power driven wheel, unless an efficient water spray is used on the wheel.

(xiii) Liftin . and conveying of materials elevators and conveyors unless they are effectively enclosed and so arranged as to prevent escape of dust into the air in or near any place at which persons are employed.

(xiv) The preparation or weighing out of flow material, lawning or dry colours, colouring, dusting and colour blowing.

(xv) Mould making, unless the bins or similar receptacles used for holding plaster of Paris are provided with suitable covers.

(xvi) The manipulation of calcined material, unless the material has been made and remains so wet that no dust is given off.

3. *Carrying of processes.*—Each of the following processes shall be carried on in such a manner and under such conditions so as to secure effectual separation from one another and from other wet processes :—

(a) Crushing and dry grinding or sieving of materials, fettling, pressing of tiles, drying of clay and greenware, loading and unloading saggars.

(b) All processes involving the use of dry lead compound.

4. *Use of glaze.*—No glaze—which is not a leadless glaze or a low solubility glaze shall be used in a factory on which pottery is manufactured.

5. *Restriction on employment of women and young persons.*—No woman or young person shall be employed or permitted to work in any of the operations specified in clause 2 or at any place where such operations are carried on.

6. *Potter's Wheel.*—The potter's wheel (jolly and jigger shall be provided with screens or so constructed as to prevent clay scrapings being thrown off beyond the wheel).

7. *Measures to be taken to prevent dust flowing.*—(1) All practical measures shall be taken by damping or otherwise to prevent dust arising during cleaning of floors.

(2) Damp saw dust or other suitable material shall be used to render the moist method effective in preventing dust rising into the air during the cleaning process which shall be carried out after work has ceased.

8. *Cleaning of floors.*—The floors of potter's shops slip houses, dipping houses and ware cleaning rooms shall be hard, smooth and impervious and shall be thoroughly cleaned daily by a moist method by an adult male.

9. *Medical examination.*—(1) All persons employed in any process included under clause 2 shall be examined by the Certifying Surgeon within 7 days preceding or following the date of their first employment in process; thereafter all persons employed in any process included under clause 2(i) and 2(xiv) shall be examined by the Certifying Surgeon once in every three calendar months, and those employed in any process included in sub-clauses (ii) to (xiii), sub-clauses (xv) and (xvi) of clause 2, once in every 12 months by the Certifying Surgeon, records of such examination shall be entered by the Certifying Surgeon in the Health Register and certificate of fitness granted to him under clause 10.

(2) If at any time the Certifying Surgeon is of the opinion that any person employed in any process included in clause 2 is no longer fit to continue in the same Job, he may ask the management to provide such a person an alternative job, and if the Certifying Surgeon is of the opinion that the person so employed is no longer fit for employment even in any other process on the ground that his continuance therein would involve damage to his health, he shall cancel the certificate of fitness granted to that person.

(3) No person whose certificate of fitness has been cancelled shall be re-employed unless the Certifying Surgeon, after examining, again certifies him to be fit for employment in the same process or same alternative process.

10. *Certificate of fitness.*—A person medically examined under clause 9 and found fit for employment shall be granted by the Certifying Surgeon a certificate of fitness in form 31 and such certificate shall be in the custody of the manager of the factory. The certificate shall be kept readily available for inspection by any inspector and the person granted such a

certificate shall carry with him, while at work, a token giving reference to such certificate.

11. *Protective equipment.*—(1) The occupier shall provide and maintain suitable overalls and head coverings for all persons employed in the processes mentioned in clause 2.

(2) The occupier shall provide and maintain suitable aprons of water proof or similar material which can be sponged daily for the use of the dippers, dippers' assistants, throwers, jolly workers, casters, mould makers and filter press and pug mill workers.

(3) Aprons provided in pursuance of sub-clause (2) shall be thoroughly cleaned daily by the wearer by sponging or other wet process. All overalls and head coverings shall be washed, cleaned and mended at least once a week and this washing, cleaning or mending shall be provided by the occupier.

(4) No person shall be allowed to work in emptying sacks of dusty materials, weighing out and mixing of dusty materials and charging of ball mills and blungers without wearing a suitable and efficient dust respirator.

12. *Washing facilities.*—The occupier shall provide and maintain in a cleanly state and in good repair for the use of all persons employed in any of the processes specified in clause 2, a wash place under cover with either,—

(a) (i) a trough with smooth impervious surface fitted with a waste pipe, without plug, and of sufficient length to allow at least two feet for every five such persons employed at any one time, and having a constant supply of clean water from taps or gets above the trough at intervals of not more than two minutes, or

(ii) at least one tap or stand pipe for every five such persons employed at any one time having a constant supply of clean water, the tap or stand pipe being spaced not less than 4 feet apart; and

(b) a sufficient supply of clean towels made of suitable materials changed daily with sufficient supply of nail brushes and soap.

13. *Time allowed for washing.*—Before each meal and before the end of the day's work at least ten minutes, in addition to the regular meal times, shall be allowed for washing to each person employed in any of the processes mentioned at clause 2.

14. *Mess-room.*—(1) There shall be provided and maintained for use of all persons remaining within the premises during the rest interval, a suitable mess-room or canteen at a distance of least 50 feet from the main factory providing a

minimum accommodation of 10 square feet per head. The washing facilities mentioned above shall be provided near the mess-room or canteen and the mess-room and canteen shall be furnished with :—

- (i) a sufficient number of tables and chairs or benches with back rest ;
- (ii) arrangements for washing utensil ;
- (iii) adequate means of warming food ;
- (iv) adequate quantity of drinking water.

(2) The rooms shall be adequately ventilated by the circulation of fresh air and placed under the charge of a responsible person and shall be kept clean.

15. *Food, drinks etc. prohibited in work-rooms*.—No food, drink, pan and supari, or tobacco shall be brought into or consumed by any worker in any work-room in which any of the process mentioned in clause 2 are carried on and no person shall remain in any such room during intervals for meals or rest.

16. *Cloak-room etc.*.—There shall be provided and maintained for the use of all persons employed in any of the processes mentioned in clause 2 :—

(a) a cloak-room for clothing put off during working hours, which shall be separate from any mess-room ;

(b) separate and suitable arrangements for the storage protective equipment provided under clause 11.

17. *Application*.—The provisions contained in this Schedule shall not apply to a factory in which any of the following articles, but not other pottery are made :—

(a) unglazed or salt glazed bricks and tiles; and

(b) architectural terra-cotta made from plastic clay and either unglazed or glazed with a leadless glaze only.

18. *Exemptions*.—If in respect of any factory, the Chief Inspector of Factories is satisfied that all or any of the provisions of this Schedule are not necessary for the protection of the persons employed in such factory, he may by a certificate in writing exempt such factory, from all or any of such provisions, subject to such conditions as he may specify therein. Such facilities may at any time be revoked by the Chief Inspector without asssigned any reasons.

2. After Form No. 30, the following Form shall be added, namely :—

### FORM No. 31

(Prescribed under clause 10 of Schedule XI annexed to Rule 100)

#### CERTIFICATE OF FITNESS

1. Serial No.	Serial No.
2. Date.	Date.
3. Name.	I certify that I have personally examined (name).....
4. Father's name.	..... Son/daughter of.....
5. Sex.	.....
6. Residence.	.....
7. Date of birth, if available and/or certified age.	Residing at.....
8. Descriptive marks.	Who is desirous of being employed in a fac'ory engaged in the manufacturing of Ceramics of pottery.
9. Reason for :— (i) Refusal certificate. (ii) Certificate being revoked.	On the basis of these examinations I hereby certify that he/she is fit to be employed/ continue working in the above factory. His/Her descriptive marks are..... Thumb impression.
Thumb impression	Thumb impression.
Initials of Certifying Surgeon.	Certifying Surgeon.

### SCHEDELE XII

1. Printing press and type foundries certain lead processes carried therein.

*Exemption.*—Where the Chief Inspector is satisfied that all or any of the provisions of this schedule are not necessary for the protection of persons employed he may by certificate in writing exempt any factory from all or any of such provisions subject to such conditions as he may specify therein. Such certificate may at any time be revoked by the Chief Inspector.

2. *Definitions.*—In these regulations :

(1) "Lead material" means material containing not less than five per cent of lead.

(2) "Lead process" means—

(a) the melting of lead or any lead material for casting and mechanical composing;

(b) the re-charging of machines with used lead material; or

(c) any other work including removal of dross from melting pots, cleaning of plungers, and

(d) manipulation, movement or other treatment of lead material.

(3) "Efficient exhaust draught" means localised ventilation effected by heat or mechanical means, for the removal of gas, vapour, dust or fumes so as to prevent them escaping into the air of any place in which work is carried on. No draught shall be deemed efficient which fails to remove gas, vapour, fume or dust at the point where they originate.

3. *Exhaust draught.*—None of the following processes shall be carried on except with an efficient exhaust draught—

(a) melting lead material or slugs;

(b) heating lead material so that vapour containing lead is given off;

or unless carried on in such a manner as to prevent free escape of gas, vapour, fumes or dust into any place in which work is carried on, or unless carried on in electrically heated and thermostatically controlled melting pots.

Such exhaust draught shall be effected by mechanical means and so contrived as to operate on the dust, fume, gas or vapour given off as closely as may be at its point of origin.

4. *Prohibition relating to women and young persons:*—No women or young persons shall be employed or permitted to work in any lead process.

5. *Separation of certain processes.*—Each of the following processes shall be carried on in such a manner and under such conditions as to secure effectual separation from one another and from any other process—

(a) melting of lead or any lead material;

(b) casting of lead ingots;

(c) mechanical composing.

6. *Container of dross.*—A suitable receptacle with tightly fitting cover shall be provided and used for dross as it is removed from every melting pot. Such receptacle shall be kept covered while in the workroom near the machine except when the dross is being deposited therein,

7. *Floor of work-room.*—The floor of every work-room where lead process is carried on shall be—

- (a) of cement or similar material so as to be smooth and impervious to water;
- (b) maintained in sound condition; and
- (c) shall be cleansed through out daily after being thoroughly damped with water at a time when no other work is being carried on at the place.

8. *Mess Room.*—The occupier shall provide and maintain for the use of the persons employed suitable and adequate arrangements for taking their meals. The arrangements shall consist of the use of a room separate from any work-room which shall be furnished with sufficient tables and benches and unless a canteen serving hot meals is provided adequate means of warming food. The room shall be adequately ventilated by the circulation of fresh air and shall be placed under the charge of a responsible person and shall be kept clean.

9. *Washing facilities.*—There shall be provided and maintained in a cleanly state and in good repair for the use of all persons employed in a lead process;

- (a) A wash place with either—
  - (i) a trough with a smooth impervious surface fitted with a wastepipe without plug, and of sufficient length to allow at least two feet for every ten such persons employed at any one time and having a constant supply of water from taps or jets above the trough at intervals of not more than 2 feet; or
  - (ii) at least one wash basin for every ten such persons employed at any one time, fitted with a waste-pipe and plug and having an adequate supply of water laid on or always readily available; and
- (b) a sufficient supply of clean towels made of suitable material renewed daily with a sufficient supply of soap or other suitable cleansing material.

10. *Medical Examination.*—(a) Every person employed in a lead process shall be examined by the Certifying Surgeon

within 14 days of his first employment in such processes and thereafter shall be examined by the Certifying Surgeon at intervals of not more than three months, and record of such examination shall be entered by the Certifying Surgeon in the Special Certificate of fitness in Form No. 30.

(b) A Health Register containing names of all persons employed in any lead process shall be kept in Form No. 19.

(c) No person after suspension shall be employed in a lead process without the written sanction from the Certifying Surgeon entered in the Health Register.

11. *Food, Drink, etc., prohibited in work-room.*—No food, drink, pan and supari or tobacco shall be consumed or brought by any worker into any work-room in which any lead process is carried on.

### SCHEDULE XIII

Manufacture of Bangles and other articles from cinema-graph film and toxic and inflammable solvents.

1. *Definitions.*—For the purpose of this Schedule:—

(a) *toxic and inflammable solvents* mean—

(i) Solvents like acetone, tetracholrethene, alcohol, denatured spirit, phenol, any lacitate, butyle, acetate, diacetone, alcohol and such other substances which in the opinion of the Chief Inspector are toxic and inflammable:

(ii) “bangle polish” and “bangle mixture” and such other solvents, by whatever trade name they are known, used in the manufacture of bangles and other articles from cellulose films:

(b) “suspension” means suspension from employment in any process in which toxic and inflammable solvents are used, by written certificates in the Health Register signed by the Certifying Surgeon, who shall have the power of suspension as regards all persons employed in any such process:

(c) “approval” means approved by the Chief Inspector:

(d) “first employment” means first employment in any manufacturing process referred to in this Schedule and also re-employment in such manufacturing process following any cessation of employment for a continuous period of three calendar months.

2. *Application.*—This Schedule shall apply in respect of all factories or any part thereof in which the process of manufacture of bangles and other articles from cinematograph film or from toxic and inflammable substances or from both (hereinafter referred to as the said manufacturing process) is carried on.

3. *Prohibition relating to employment of women and young persons.*—No woman or young person shall be employed or permitted to work in any room in which any of the said manufacturing process is carried out or in any room in which toxic or inflammable substances or both are stored or treated.

4. *Medical Examination.*—(1) No person shall be employed in any of the said manufacturing processes unless he has been examined by the Certifying Surgeon within seven days preceding his first employment and certified fit for such employment.

(2) No person shall be employed in any of the said manufacturing process unless he is re-examined by the Certifying Surgeon at least once during each calender month or at such intervals as may be specified in writing by the Chief Inspector.

(3) The Certifying Surgeon shall examine persons employed in any of the said manufacturing processes by giving due notice to all concerned.

(4) A Health Register in Form No. 19 containing the names of all workers employed in any of the said manufacturing process shall be kept.

(5) No person after suspension shall be employed without written sanction from the Certifying Surgeon entered in or attached to the Health Register.

5. *Protective clothing.*—Protective clothing shall be provided and maintained in good repair for all workers employed in the factory and such clothing shall be worn by the workers concerned. The protective clothing shall consist of a suitable apron and if so required by the Chief Inspector of head coverings provided in that behalf. The head coverings so provided shall be washed daily.

6. *Ventilation.*—Every work-room in which cinematograph film or toxic and inflammable solvents or both are handled or manipulated or used shall be provided with inlets and outlets of adequate size so as to secure and maintain efficient ventilation in all parts of the room during working hours :

Provided that the preparation of "Cylinders" from cinematograph film and toxic and inflammable solvents, cutting of such cylinders into bangles and heat treatment of the bangles shall be carried out in an open space under cover, unless specially examined by the Chief Inspector.

**7. Drying of cinematograph film.**—(1) Drying of cinematograph film shall not be done except under such conditions as will prevent the cinematograph film from coming into contact or proximity with any source of heat or heated surface in such a manner as would render the cinematograph film liable to be ignited or decomposed.

(2) Loose unwound cinematograph film shall be enclosed during drying in such a manner that a person in a room will be protected as far as practicable from an outburst of flame.

(3) The temperature in any part of a drying enclosure for loose unwound cinematograph film other than a safety acetate film shall not at any time exceed 110°F. A thermometer shall be kept available in every room in which such drying is done.

(4) Boiling of raw films either alone or in conjunction with other chemicals or heating of bangles and other articles made of film shall be carried out in any open space.

(5) A sufficient number of buckets filled with water shall be provided near the places where bangles are subjected to heat treatment.

**8. Storage of raw materials.**—(i) Each roll or package of cinematograph film used in any of the said manufacturing process shall except when required to be exposed for the purposes of the work carried on be kept in a separate box, properly closed and constructed of metal or other approved metal.

(ii) Without prejudice to the Cinematograph Film Rules, 1948, Municipal Rules and other rules in force, all cinematograph film not being actually used or manipulated shall be kept in a room or chamber of similar enclosure approved by the Chief Inspector. Toxic and inflammable solvents stock shall be stored in approved places or containers.

**9. Disposal of Waste Films.**—(i) All waste and scrap of cinematograph film shall be collected at frequent intervals during each day and be placed in strong metal receptacles fitted with self closing lids and clearly marked with the words "Film Waster."

(ii) No material liable to ignite spontaneously nor anything likely to ignite or decompose cinematograph film shall be placed in the receptacle.

(iii) At the end of each day's work waste and scrap films shall be either transferred to a store-room or removed from the premises.

(iv) Waste films and shavings shall be destroyed by burning in an open place under controlled conditions. They shall not be allowed to be thrown or scattered in or about the premises of the Factory.

10. *Prohibition for smoking.*—(i) No person shall be allowed to smoke in any room in which cinematograph film is manipulated, used or stored.

(ii) No open fire or light or any smoking materials or matches nor anything likely to ignite or decompose cinematograph film shall be allowed in any store-room or any room in which cinematograph film or toxic inflammable solvents or both are stored, manipulated or used :

Provided that the Chief Inspector may permit the use of a coal sigree in the heat treatment of bangles subject to such conditions as he may specify in writing.

11. *Cauion with regard to electrical installation.*—All electrical installations and fittings shall be of flame-proof type.

12. *Floor of work-rooms.*—The floor of every work-room in which any of the said manufacturing processes are carried on shall be—

(a) of cement or similar material so as to be smooth and impervious to water;

(b) maintained in sound condition;

(c) kept free from materials, plants or other obstruction not required for, or produced in, the process carried on in the room;

(d) cleaned daily after being thoroughly sprayed with water at a time when no other work is being carried on in the room.

13. *Time to be allowed for washing.*—Before each meal and before the end of the day's work, at least ten minutes in addition to the regular meal times, shall be allowed for washing to each person who has been employed in any of the said manufacturing processes.

14. *Washing facilities.*—There shall be provided and maintained in a cleanly state and in good repair for the use of all persons, a wash place under cover, with either:—

(i) a trough with a smooth impervious surface fitted with a waste pipe without plug, and of sufficient length to allow of at least two feet for every five such persons employed at any one time and having a constant supply of water from taps or jets above the trough at intervals of not more than two feet; or

(ii) at least one wash basin for every five such persons employed at any one time fitted with a waste pipe and plug and having a constant supply of water laid on;

(iii) a sufficient supply of clean towels made of suitable material which shall be renewed daily, which supply, if so required by the Inspector, shall include a separate marked towel for each such worker; and

(iv) a sufficient supply of soap or other suitable cleansing material and of nail brushes.

15. *Facilities for bathing.*—Chief Inspector may require any factory occupier to provide bath accommodation for, all persons engaged in all or in any of the said manufacturing process and also sufficient supply of soap and clean towels.

16. *Cloak Room.*—If the Chief Inspector so requires, there shall be provided and maintained for the use of persons employed in any of the said manufacturing processes—

(a) a cloak room for clothing put off during working hours with adequate arrangements for drying the clothing, if wet;

(b) separate and suitable arrangements for the storage of protective clothing provided under paragraph 5.

17. *Food, drinks, etc., prohibited in work-rooms.*—No food, drink, pan and supari or tobacco shall be consumed or brought by any worker into any work-room in which any of the said manufacturing processes is carried on.

18. *Mess-room.*—If the Chief Inspector so requires, there shall be provided and maintained for the use of all persons employed in the factory and remaining on the premises during the meal intervals, a suitable mess-room, which shall be furnished with:—

(a) sufficient tables and benches; and

(b) adequate means for warming food.

The mess shall be placed under the charge of a responsible person and shall be kept clean.

19. *Fire fighting appliances.*—(1) Adequate means for extinguishing fires having regard to the amount of celluloid present in the room at any one time shall be kept constantly provided for each work-room and store-room.

(2) The fire fighting appliances shall be maintained in good condition and kept in a position which is easily accessible.

20. *Means of escape in case of fire.*—Adequate means of escape fire shall be provided in every room in which cinematograph film is manipulated, used or stored and the means of escape shall not be deemed adequate unless:—

(a) at least two separate exists are provided from every such room and two safe ways of escape from the building are available for all persons employed in the factory, and

(b) all doors and windows provided in connection with the means of escape are constructed to open outwards readily.

21. *Cautionary notices.*—(i) Cautionary notices explaining the dangers to which workers are exposed due to any of the said manufacturing processes being carried on shall be affixed in prominent positions in the factory where they may be easily and conveniently read by the persons employed. The said notices shall be printed in the languages understood by the majority of workers employed in the factory.

(ii) If any person employed in the factory is illiterate, effective steps shall be taken to explain carefully to such illiterate person the contents of the notices.

22. *Exemption.*—If in respect of any factory the Chief Inspector is satisfied that owing to the exceptional circumstances or infrequency of the process, or for any other reason, all or any of the provisions of this schedule are not necessary for the protection of the persons employed in the factory, he may by a certificate in writing exempt such factory from all or any of the provisions, on such condition as he may specify therein. Such certificate may at any time be revoked by the Chief Inspector without assigning any reason.

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Labour & Employment Department.

Jaipur, September 21, 1965

*Notification No. F 3 (56) Lab/63.*—In exercise of the powers conferred by section 112; read with section 29 of the Factories Act, 1948, (Central Act LXIII of 1948), the state Government hereby makes the following amendment to the Rajasthan Factories Rules, 1951, the same having been previously published in Rajasthan Gazette, Part III (B) dated December 14, 1961, namely:—

## AMENDMENT

In the said rules, After rule 57 the following new rule shall be inserted, namely.—

### Rules prescribed under section 29.

“ 57-A. (1) No lifting machine and no chain, rope or lifting tackle, except a fibre rope or fibre rope sling, shall be taken in use in any factory for the first time in that factory unless it has been tested and all parts have been thoroughly examined by a competent person and a certificate of such test and examination specifying the safe working load or loads and signed by the person making the test and the examination, has been obtained and is available for inspection.

(2) (a) Every jib crane so constructed that the safe working load may be varied by the raising or lowering of the jib, shall have attached thereto either an automatic indicator of safe working loads, or an automatic jib, angle indicator and table indicating the safe working loads at corresponding inclination of the jib or corresponding radii of the load.

(b) A table showing the same working load of every kind and size of chain, rope or lifting tackle in use, and in the case of multiple sling, the safe working loads at different angles of the legs, shall be posted in the store room or place where or in which the chains, ropes of lifting tackles are kept, and prominent positions on the premises and no rope, chain or lifting tackle not shown in the table shall be used.

The foregoing provisions of this paragraph shall not apply in respect of such lifting tackle if the safe working load thereof, or in the case of a multiple sling, the safe working load at different angles of the legs, is plainly marked upon it.

(3) Register to be maintained under sub-clause (iii) of clause (a) of sub-section (1) of section 29 of the Act, shall contain the following particulars:—

- (i) name of occupier of factory.
- (ii) address of the factory,
- (iii) distinguishing number of mark, if any, and description sufficient to identify the lifting machine, chain, rope or the lifting tackle,
- (iv) date when the lifting machine, chain, rope or lifting tackle was first taken in use in the factory.
- (v) date and number of the certificates relating to any test or examination made under sub-rule (1) and 7 together with the name and address of the person who issued the certificates.

(vi) date of each periodical through examination made under clause (a) (iii) of section (1) of section 29 of the Act and sub rule (6) and by whom it was carried out.

(vii) date of an annealing or other heat treatment of the chain and other lifting tackle made under sub-rule (6) and by whom it was carried out, and

(viii) Particulars of any defects affecting the safe working load found at any such examination or after annealing and of the steps taken to remedy such defects. The register shall be kept readily available for inspection.

(4) All rails on which a travelling crane moves and every track on which the carriage of a transporter or runway moves shall be of proper size and adequate strength and have an even running surface and every such rail or track shall be properly laid, adequately supported and properly maintained.

(5) To provide access to rail tracks or overhead travelling cranes suitable passage ways, of at least 50 cm. (20 inches) width with toe-boards and double hand rails 90 cm. (3 ft) high, shall be provided alongside, and clear of the rail tracts of overhead travelling cranes, such that no moving part of the crane can strike persons on the ways and the passage way shall be at a lower level than the crane track itself. Safe access ladders shall be provided at suitable intervals to afford access to these passage ways and from passage ways to the rail tracks.

(6) All chains and lifting tackle, except a rope sling shall, unless they have been subjected to such other heat treatment as may be approved by Chief Inspector of Factories be effectively annealed under the supervision of a competent persons at the following intervals :—

(i) all chains, slings, rings, hooks, shackles, swivels used in connection with molten metal or molten slag or when they are made of  $\frac{1}{2}$  inch bar or smaller once at least in every six months,

(ii) all other chains, rings, hooks, shackles and swivels in general use once at least in every twelve months:

Provided that chains and lifting tackle not in frequent use shall subject to the Chief Inspector's approval, be annealed only when necessary. Particulars of such annealing shall be entered in a register prescribed under sub-rule (3).

(7) Nothing in the foregoing sub-rule (6) shall apply to the following classes of chains and lifting tackles :—

- (i) chains made of malleable cast iron,
- (ii) plate link chains,

(iii) chains, rings, hooks, shackles and swivels made of steel or of any non-ferrous metal,

(iv) pitched chains, working on sprocket or packeted wheels,

(v) rings, hooks, shackles and swivels permanently attached to pitched chains, pulley blocks of weighing machines,

(vi) hooks and swivels having screw threaded parts or ball bearing or other case hardened parts,

(vii) socket shackles secured to wire ropes by white metal capping and,

(viii) borddeaux connections.

Such chains and lifting tackles shall be thoroughly examined by competent person once at least in every twelve months, and particulars entered in the register kept in accordance with sub-rule (3).

(8) All lifting machines, chains, ropes and lifting tackle, except a fibre rope or fibre rope sling which have been lengthened, altered or repaired by welding or otherwise shall before being again taken in use be adequately re-tested and re-examined by a competent person and a certificate of such test and examination be obtained and particulars entered into register kept in accordance with sub-rule (3).

(9) No person under 18 years of age and no person who is not sufficiently trained in the working of lifting machines and acquainted with the hazards of the machines shall be employed as driver of a lifting machine, whether driven by mechanical power or otherwise, or to give signal to a driver.

(10) Where, in the opinion of the State Government, compliance with any of the requirements of the provisions contained in section 29 of the rules made thereunder, is unnecessary or impracticable, the State Government may, by notification in the Official Gazette, and subject to such conditions as it may deem expedient, exempt any factory or a group or class or description of factories from any such provision".

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 11-11-65—Page 370]

Labour & Employment Department

Jaipur; November 30, 1965.

*Notification No. F. 3 (76) L & E/65*—In exercise of the powers conferred by section 64, read with section 112 of the Factories Act, 1948 (Central Act LXIII of 1948), the State Government hereby makes the following amendment to the Rajasthan Factories Rules, 1951, the same having been previo-

isly published, as required by section 115 of the said Act, in the Rajasthan Gazette, 3 (B), dated the 2<sup>nd</sup> April, 1965, namely:—

### AMENDMENT

In the said rules, in the Schedule annexed to rule 89, in item 6 relating to electrical generating factories and distribution stations, in entry (i) under column No. 5, after the words "has elapsed" occurring at the end, the following words shall be inserted, namely:—

"after the specified stopping time of the shift to which the worker belongs,"

[Pub. in Raj. Gaz. 4 (Ga)-Dt. 17-2-66—Page 556]

Labour & Employment Department

Jaipur, July 28, 1966.

*Notification No. F 3 (46) L&E/64.*—In exercise of the powers conferred by sections 31, 87 and 112 of the Factories Act, 1948 (Central Act LXIII of 1948), the State Government hereby makes the following amendments to the Rajasthan Factories Rules, 1951, the same having been previously published in the Rajasthan Rajpatra, Part-III (Kha), dated the 15th July, 1965, namely:—

### AMENDMENTS

In the said rules,—

(1) after rule 58, the following new rule shall be added, namely:—

"58-A (1) For the purpose of this rule, the expression "gasholder" means a watersealea gasholder which has a shortage capacity of not less than 141.5 cubic meters (500 C. ft).

(2) Every gasholders shall be of adequate material and strength, sound construction and properly maintained.

(3) Where there is more than one gasholder in the factory, every such gasholder shall be marked in a conspicuous position with a distinguishing number of letter.

(4) Every gasholder shall be thoroughly examined externally by a competent person at least once in a period of twelve months.

(5) In the case of gasholder of which any lift has been in use for more than ten years, the internal state of sheeting shall, within one year of the coming into operation of these rules and thereafter at least after every period of four years, be examined by a competent person by means of electronic or other accurate devices.

Provided that if the Chief Inspector is satisfied that such electronic or other accurate devices are not available, he may permit the cutting of samples from the crown and the sides of the holder:

Provided further that if the above inspection raises a doubt, an internal visual examination shall be made.

(6) All possible steps shall be taken to prevent or minimise ingress of impurities in the gasholder.

(7) No gasholder shall be repaired or demolished except under the direct supervision of person who, by his training, experience and knowledge of the necessary precautions against risks of explosion and of persons being overcome by gas, is competent in supervise such work.

(8) (a) All sample discs cut under -sub-rule (5) above, shall be kept readily available for inspection.

(b) A permanent register in Form 9-A duly signed by the occupier or manager shall be maintained giving the following particulars:—

- (i) the serial number of gasholder vide sub-rule (3) above and the particulars of manufacture i.e. makers name, date of manufacture, capacity, number of lifts, pressure thrown by holder when full of gas;
- (ii) the dates of inspection carried out as required under sub-rules (4) and (5) above and by whom carried out;
- (iii) the method of inspection used;
- (iv) date of painting etc;
- (v) nature of repairs and name of person carrying out repairs; and
- (vi) remarks.

(c) The results of examinations by a competent person carried out under sub-rule (4) and (5) shall be entered in Form No. 9. B.

(d) A copy of the report in Form B shall be kept in the said register and both the register and the report shall be readily available for inspection.

(9) After Form No. 9 appended to the rules, following new Forms 9-A and 9-B shall be added, namely:—

**FORM No. (9A)**  
**(Prescribed under rule 58A)**  
**Register of water-sealed gasholder**

Serial Number of the gasholder	Makers name	Date of manufac- ture	Capacity	Number of lifts	Pressure thrown when full of gas	Date of inspection	By whom inspec- ted	Method of inspec- tion	Date of painting	Nature of repairs and the name of the persons carry- ing on repairs	Remarks
1	2	3	4	5	6	7	8	9	10	11	12

**“FORM No. 9-B”**  
**(Prescribed under Rule 58A)**

**Report of examination of water-sealed gasholder**

1. Name of occupier of factory.
2. Situation and address of factory.
3. Name description, distinguishing number or letter and type of gasholder.
4. Name and address of the manufacturer.
5. (a) No. of lifts.  
 (b) Maximum capacity in sub-meters (cub. ft.).  
 (c) Pressure thrown by holder when full of gas.
6. Particulars of gas to be stored in the holder.
7. Particulars as to the condition of—  
 (a) Crown.  
 (b) Sidesheeting, including grips and cups.  
 (c) Guiding Mechanism (Roller carriaged, rollers, pins, rails or rops).  
 (d) Tank.  
 (e) Other structure, if any (Columns, framing and bracing).
8. Particulars as to the position of the lifts at the time of examination.
9. Particulars as to whether the tank and lifts were found sufficiently level for safe working and if not, as to the steps taken to remedy the defect.
10. Date of examination and by whom it was carried out.
11. Condition of vessel.  
 (1) external.  
 (2) internal.
12. Are all fitting, appliances properly maintained and in a good condition, repairs if any required and period within

which they should be executed and any other condition which the person making the examination thinks it necessary for safe working.

### 13. Other observations.

I certify that on ... .....the gasholder described above was thoroughly examined and such of the tests as were necessary made on the same day and that the above is a true report of my examination.

Signature .....  
Qualification .....  
Address.... .....  
Dated.....

If employed by a company or Association, give name and Address.

### 3. in rule 100,—

(a) in sub-rule (1), after clause 13, the following new clause shall be inserted, namely:—

“14 Compression of oxygen and Hydrogen produced by the Electrolysis of water”.

(b) after schedule XIII, the following new schedule shall be inserted, namely:—

### SCHEDULE XIV

Compression of oxygen and Hydrogen produced by the electrolysis of water.

(1) The room in which electrolyser plant is installed shall be separate from the plant for storing and Compressing the oxygen and Hydrogen and also the electric generator room.

(2) The purity oxygen and hydrogen shall be tested by a competent person at hourly intervals at the following points:—

- (i) in the electrolyser room;
- (ii) at the gas holder in let; and
- (iii) at the suction end of the compressor.

The purity figures shall be entered and signed by the person carrying out such tests in the register:—

Provided, that if, the compression unit and the gas holder inlets are fitted with automatic oxygen-in-hydrogen or hydrogen-in-oxygen purity indicating instruments which trips the supply to the driving motor in the event of the purity dropping below 98%, testing of gas at hourly intervals at these two points shall not be necessary.

(3) The oxygen and hydrogen gasses shall not be compressed, if their purity as determined under clause (2) above falls below 98% at any time.

(4) There shall be at least two gasholders for each kind of gas compressed and the gas holders for same gas shall be provided with suitable arrangements to ensure that no gas holder is connected to the compressor and to the electrolyser at the same time and only one gas holder is connected to the compressor line at any one time.

(5) Each gas holder shall be fitted with a low level alarm and a trip switch to stop the compression in the event of the bell of the gas holder reaching within 30 cm. from its lowest working level.

(6) The water and caustic soda and potash used for making electrolytes shall be of standard suitable for electrolysis.

(7) Electrical connections at the electrolyser cells and at the electric generator terminals shall be so constructed as to preclude the possibility of wrong connections leading to the reversal of polarity and in the addition an automatic device shall be provided to cut off power in the event of reversal of polarity owing to wrong connections either at the switch board or at the electric generator terminals.

(8) Oxygen and hydrogen gas pipes shall be painted with distinguishing colours. Whenever an hydrogen pipe is opened for repairs or any other work, on reconnection the pipe shall be purged of all air before hydrogen is allowed to pass through that pipe.

(9) All electrical wiring and apparatus in the electrolyser room and hydrogen compression room shall be of flame-proof construction or enclosed in flame proof fittings and no naked light or flame shall be allowed to be taken either in the electrolyser room or where compression and filling of the gases is carried on and such warning notices shall be exhibited in prominent places.

(10) No part of the electrolyser plant and the gas holders and compressor shall be subject to welding, brazing, soldering or cutting steps have been taken to remove any explosive substance from that part and render the part safe for such operations and after the completion of such operations no explosive substance shall be allowed to enter that part until the metal has cooled sufficiently to prevent risk of explosion.

(11) No work of operation, repair or maintenance shall be undertaken except under the direct supervision of a person who, by his training, experience and knowledge of the necessary precautions against risk of explosion is competent to supervise such work. No electric generator after erection or

repairs shall be switched on to the electrolyzers unless the same is certified by the competent person under whose direct supervision erection or repairs are carried on to be in a safe condition and the terminals have been checked for the polarity as required by rule (7),

Every part of the electrolyser plant and the gas holders and compressor shall have a regular schedule of overhaul and checking and every defect noticed shall be rectified forthwith.

[ Published in Raj. Raj-patra part IV(c) Dated 25-8-66 at Page 289 ]

*Notifications under*

**RAJASTHAN FACTORIES RULES, 1951**

*Published in Raj.Raj-patra Dated February 26, 1955 part I(a)at page 281 to 282:*

**LABOUR DEPARTMENT**

**NOTIFICATIONS**

*Jaipur, February 8, 1955.*

**No. F. 15(4)Lab./52.**—In exercise of the powers conferred by sub-rule (2) of rule 29 of the Rajasthan Factories Rules 1951, the Government of Rajasthan is hereby pleased to order that provisions of rules 29 to 33 of the said rules shall come into force in respect of factories of the nature described in sub-rule (1) of rule 29 of the said Rules, situated in dark localities or carrying on manufacturing operations on cloudy days, with effect from the expiry of six months from the publication of this notification in the Rajasthan Gazette.

*Jaipur, February 8, 1955.*

**No. F-15 (4)Lab./52.**—In exercise of the powers conferred by sub-rule (1) of rule 66 of the Rajasthan Factories Rules 1951 the Government of Rajasthan is hereby pleased to order that rule 66 of the said rules shall come into force, with effect from the expiry of six months from the publication of this notification in the Rajasthan Gazette, in all factories wherein fifty or more workers are working.

*Jaipur, February 8, 1955.*

**No. F-15(4)Lab./52.**—In pursuance of sub-rule (2) of rule 69 of the Rajasthan Factories Rules 1951 the Government of Rajasthan is pleased to notify that the occupiers of the following factories wherein more than 250 workers are ordinarily employed, shall provide in or near their respective factories adequate canteens according to the standards prescribed in rules 69 to 75 of the said rules.

1. The Maharaja Kishangarh Mills Ltd., Kishangarh.
2. Maharaja Shri Umaid Mills Ltd., Pali.
3. The Mewar Textile Mills Ltd., Bhilwara.
4. The Jaipur Spinning & Weaving Mills Ltd., Jaipur.
5. Shri Sadul Textiles Ltd., Gangangar.
6. The Associated Cement Company Ltd., Lakhari.
7. The Jaipur Udyog Ltd., Sawai Madhopur.
8. Jaipur Metals Electricals Ltd., Jaipur.
9. National Bearing Co. Ltd., Jaipur.
10. The Mewar Sugar Mills Ltd., Bhupalsagar.
11. The Bikaner Industrial Corporation Ltd., Ganganagar.
12. Government Power House, Jodhpur.
13. Government Power House, Jaipur.
14. Government Power House, Bikaner.
15. Northern Railway Workshop, Jodhpur.
16. Northern Railway Workshop, Bikaner.

*Jaipur, February 8, 1955.*

No. F. 15 (4) Lab./52.—In exercise of the powers conferred by sub-rule (1) of rule 69 of the Rajasthan Factories Rules, 1951, the Government of Rajasthan is hereby pleased to order that rules 69 to 75 of the said rules shall come into force in respect of all perennial factories with effect from the expiry of six months from the publication of this notification in the Rajasthan Gazette.

*Jaipur, February 8, 1955.*

No. F. 15 (4) Lab./52.—In exercise of the powers conferred by sub-rule (2) of rule 53 of the Rajasthan Factories Rules, 1951, the Government of Rajasthan is hereby pleased to order that rule 53 of the said rules shall come into force in respect of the factories described below on the dates given below:—

*Description of Factories.*

Factories where machines mentioned in the Schedules I & II to rule 53 of Rajasthan Factories Rules, 1951 are in use.

Factories where machines mentioned in Schedules III and IV to rule 53 of the Rajasthan Factories Rules, 1951 are in use.

*Date of commencement of rule 53.*

Six months from the publication of this notification in the Rajasthan Gazette.

Seven months from the publication of this notification in the Rajasthan Gazette.

*Jaipur, February 8, 1955.*

No. F 15 (4) Lab /52.—In exercise of the powers conferred by sub rule (1) of rule 68 of the Rajasthan Factories Rules, 1951, the Government of Rajasthan is hereby pleased to order that rule 68 of the said rules shall come into force in respect of the following factories on the dates respectively mentioned below:—

*Description of factories. Date of commencement of rule 68.*

Perennial factories. Six months from the publication of this notification in the Rajasthan Gazette.

Seasonal factories. Seven months from the publication of this notification in the Rajasthan Gazette.

*Jaipur, February 8, 1955.*

No. F-15(4) Lab./52.—In exercise of the powers conferred by sub-rule (1) of rule 76 of the Rajasthan Factories Rules, 1951, the Government of Rajasthan is hereby pleased to order that rule 76 of the said rules shall come into force in respect of the following factories on the dates mentioned below:—

*Description of factories. Date of commencement.*

Perennial factories. Six months from the publication of this notification in the Rajasthan Gazette.

Seasonal factories. Seven months from the publication of this notification in the Rajasthan Gazette.

*Jaipur, February 8, 1955.*

No. F-15 (4) Lab./52.—In exercise of the powers conferred by sub rule (1) of rule 77 of the Rajasthan Factories Rules, 1951, the Government of Rajasthan is hereby pleased to order that rules 77 to 80 of the said rules shall come into force in respect of the following factories on the dates mentioned below:—

<i>Description of factories.</i>	<i>Date of commencement.</i>
Perennial factories.	Six months from the publication of this notification in the Rajasthan Gazette.
Seasonal factories.	Seven months from the publication of this notification in the Rajasthan Gazette.

*Jaipur, February 8, 1955.*

No. F-15 (4) Lab./52.—In exercise of the powers conferred by sub rule (3) of rule 100 of the Rajasthan Factories Rules, 1951, the Government of Rajasthan is hereby pleased to order that rule 100 of the said rules shall come into force in respect of the following factories on the dates mentioned below:—

<i>Description of factories.</i>	<i>Date of commencement.</i>
Factories where operations specified in Schedules I and II to rule 100 of the said rules are carried out.	Six months from the publication of this notification in the Rajasthan Gazette.
Factories where operations specified in Schedules III to IX to rule 100 of the said rules are carried out.	Seven months from the publication of this notification in the Rajasthan Gazette.

By Order of  
His Highness the Rajpramukh,  
G. L. MEHTA,  
*Secretary to the Government.*

# WELFARE OFFICERS' (Recruitment and conditions of service) RULES, 1952.

## Notes

Sub section (1) of section 49 of the Indian Factories Act, 1948 provides that, (1) In every factory wherein five hundred or more workers are ordinarily employed the occupier shall employ in the factory such number of welfare officers as may be prescribed.

Sub- section (2) of section 49 of the Act requires the State Government to prescribe the duties, qualifications and coditions of service of officers employed under sub-section (1). These rules have been framed with a view to provide for the matters referred to in sub section (2).

The rules came into force with immediate effect vide notification No. F. 15 [6] Lab./52 dated 4/12/52 published in Rajasthan Rajpatra, part I dated 13/12/52.

## LABOUR DEPARTMENT.

### NOTIFICATION.

Jaipur, September 13, 1952

No. F. 15 (6) / Lab./ 52.—In execrise of the powers conferred under sub section (2) of section 49 of the Factories Act. 1948 (Act No. LXIII of 1948), the Goverment of Rajasthan is pleased to make the following Rules prescribing the duties, qualifications and conditions of service of officers employed under sub-section (1) of section 49 of the said Act, the same having been previously published:—

1. *Short title and commencement.*—(1) These rules may be colled Welfare Officers ( Recruitment and Conditions of Service ) Rules, 1952.

(2) They shall come into force on such date as the State Goverment may by notification in the Official Gazette, appoint in this behalf.

(3) These rules shall not apply to Central Government undertakings with Rajasthan.

## Notes

This sub-rule [3] has been newly added vide Labour Department Notification No. F 15 [6] Lab./52 dated 3/6/53 published in Rajasthan Rajpatra, part 1, dated 13/6/53.

2. *Definitions.*—In these rules, unless the context otherwise requires—

(a) 'Act' means the Factories Act,1948(LXIII of 1948);&

(b) the expressions 'factory' and 'Occupier' have the meaning respectively assigned to them in the Act.

3. *Number of Welfare Officers.*—Within six mouths of the date specified in a notification issued under sub rule (2) of rule 11, the occupier of every factory where five hundred or more workers are ordinarily employed, shall appoint at least one Welfare Officer; provided that, where the number of workers exceeds two thousand; one Welfare Officer shall be appointed for every two thousaud workers or a fraction thereof.

## 2 ] Welfare Officers' (Recruitment and Conditions of service) Rules, 1952

### Notes

The number of welfare officers has been prescribed in this rule in accordance with the provisions of sub section [1].

4. *Qualifications.*—A person shall not be eligible for appointment as a Welfare Officer, unless he—

(a) possesses a degree of a University recognised by the State Government in this behalf;

(b) has obtained a degree or Diploma in Social Science from any institution recognised by the State Government in this behalf; and

(c) has adequate knowledge of the language spoken by the majority of the workers in the factory to which he is to be attached:

Provided that, in the case of a person who is acting as a Welfare Officer at the commencement of these rules, the State Government may, subject to such conditions as it may specify, relax all or any of the aforesaid qualifications.

5. *Recruitment of Welfare Officers.*—(1) The post of a Welfare Officer shall be advertised in all the prominent newspapers of the State.

(2) The selection shall be made from among the candidates applying for the post by a Committee appointed by the occupier of the Factory.

(3) The appointment when made shall be notified by the occupier to the State Government or such authority as the State Government may specify for the purpose, giving full details of the qualifications, etc. of the officer appointed and the conditions of his service.

6. *Conditions of service of a Welfare Officer.*—(1) A Welfare Officer shall be given appropriate status corresponding to the status of the other executive heads of the factory.

(2) The conditions of service of a Welfare Officer shall be the same as of other members of the staff of corresponding status in the factory; provided that, in the case of discharge or dismissal, the Welfare Officer shall have a right of appeal to the State Government whose decision therein shall be final and binding upon the occupier.

(3) The salary and scale of pay of Welfare Officers shall be subject to such minima as may be prescribed by the Government by Notification in the Rajasthan Gazette

### Notes

The present sub-rule [3] of Rule 6 has been substituted in place of the previous sub-rule [3] vide Labour Department Notification No. F. 15 [6] Lab./52 dated 3/6/ 53 published in Rajasthan Rajpatra, Part I, dated 13/6/53.

7. *Duties of Welfare Officers.*—The duties of a Welfare officer shall be,—

(i) to establish contacts and hold consultations with a view to maintain harmonious relations between the factory management and workers;

(ii) to bring to the notice of the factory management the grievances of workers, individual as well as collective, with a view to securing their expeditious redress and to act as a negotiating officer with trade unions;

(iii) to study and understand the point of view of labour in order to help the factory management to shape and formulate labour policies and to interpret these policies to the workers in a language they can understand;

(iv) to watch industrial relation with a view to using his influence in the event of a dispute arising between the factory management and workers and to help to bring about a settlement by {persuasive efforts};

*Notes*

The words, "persuasive efforts" into brackets have been substituted in place of original words, "conciliation and arbitration" vide Labour Department Notification No. F. 15 [6] Lab./52 dated 3/6/53 published in Rajasthan Rajpatra, Part 1, dated 13/6/53.

(v) to deal with wage and employment matters by joint consultation with the factory management and workers' representative bodies;

(vi) to exercise a restraining influence over workers going on illegal strikes and over managements declaring illegal lock-outs and to help in preventing anti-social activities;

(vii) to maintain a neutral attitude during legal strikes or lock-outs and to help in bringing about a peaceful settlement;

(viii) to ensure fulfilment on the part of the factory management of obligations, statutory or otherwise, concerning the application of provisions of the factories Act, 1948 and the rules made thereunder and to establish liaison with the Factory Inspector and the Medical services concerning medical examinations of employees, health records supervision of hazardous jobs, sick visiting and convalescence, accident prevention and supervision of safety Committees, systematic plant inspection, safety education, investigation of accidents, maternity benefits and workmen's compensation;

(ix) to promote relations between factory management and workers which will ensure productive efficiency as well as amelioration in the working conditions and to help workers to adjust and adapt themselves to their working environments;

(x) to encourage the formation of Works and Joint Production Committees, Co-operative Societies and Safety-First and Welfare Committees and to supervise their work;

(xi) to secure provision of amenities, such as canteens, shelters for rest, creches, adequate latrine facilities, drinking water, sickness and benevolent scheme payments, pension and superannuation funds, gratuity payments, granting of loans and legal advice to workers;

(xii) to help the factory management in regulating the grant of leave with wages and explain to the workers the provisions relating to leave with wages and other leave privileges and to guide the workers in the matter of submission of application for grant of leave for regulating authorised absence;

(xiii) to secure welfare provisions, such as housing facilities food stuffs, social and recreational facilities, sanitation, advise on individual personnel problems and education of children;

(xiv) to advise the factory management on questions relating to training of new starters, apprentices, workers on transfer and promotion, instructors and supervisors, supervision and control of notice board and information bulletins to further education of workers and to encourage their attendance at Technical Institutes;

(xv) to suggest measures which will serve to raise the standard of living of workers and in general promote their well-being.

8. *Powers of Exempting:*—The State Government may by notification in the Official Gazette, exempt any factory or class or description of factories from the operation of all or any of the provisions of these rules subject to compliance with such alternative arrangements as may be approved.

*Notes*

This rule is intended to fulfil the requirements of clause (a) of section 50 which requires the State Government to make rules for—

(a) exempting, subject to compliance with such alternative arrangements for the welfare of workers as may be prescribed, any factory or class or description of factories from compliance with any of the provisions of this chapter;

By Order of  
His Highness the Rajpramukh,  
CHANDRAPAL SINGH,  
Secretary to the Government.

# Notification under Welfare Officers ( Recruitment and Conditions of Service ) Rules, 1959

*Published in Raj. Raj-patra part IV (c) dated July 19, 1962 at page 375 :*

Labour Department

## NOTIFICATION

*Jaipur, July 17, 1962.*

No. F. 3 (22) Lab./57 —In exercise of the powers conferred under sub-section (2) of section 49 of the Factories Act, 1948 (Act No. LXIII of 1948) and in continuation of Government Notification No. F. 3 (22) Lab./57 dated the 3rd April, 1962 the Government of Rajasthan is pleased to notify that the Welfare Officers (Recruitment and Conditions of Service) Rules, 1959, shall come into force from 1st August, 1962.

By Order of the Governor,

D. GOSWAMI,

Deputy Secretary to the Government.

## Notifications under

# INDIAN FACTORIES ACT, 1948

Published in Raj. Raj-patra Vol. 2. No. 12 Date 29-4-50 part I at page 65:

Labour Department.

NOTIFICATIONS.

Jaipur, April 21, 1950.

No. F. 15 (9) Lab./50.—In exercise of the powers conferred by section 8 (1) of the Indian Factories Act, 1947, the Government of Rajasthan are pleased to appoint the Chief Advisor, Factories, and the Deputy Chief Advisors, Factories, to the Government of India, as Inspector for Rajasthan. In pursuance of section 8 (1) of the same Act the Government is further pleased to order, that the visits of these officers to factories would essentially be with a view to carry out technical investigations and surveys of working conditions only and will not in any way affect the executive authority of the State in the matter. No instructions will be issued by these officers to the factories direct and in all cases reports of their findings will be sent either to Government of Rajasthan or to the Chief Inspector of Factories, Rajasthan, for such action as they may consider necessary.

Published in Raj. Raj-patra Vol. 2 part I at page 271 :

Jaipur, July 7, 1950.

No. F. 15 (9) Lab./50.—In the Labour Department Notification No. F. 15 (9)/ Lab./ 50, dated April 21, 1950, published on page 65 of the Rajasthan Gazette, Part I dated April 29, 1950, read “1940” or “1947”, all the words “Indian Factories Act”.

R. N. DEY,  
Secretary to the  
Government of Rajasthan,  
Labour Department.

Published in Raj. Raj-patra Vol. 3 No. 149 Dated 2-2-52 part I at page 956 :

Labour Department.

NOTIFICATION.

Jaipur, January 17, 1952.

No. 3729/Lab.—In exercise of the powers conferred by sub-section (2) of section (8) of the Factories Act, 1948 (LXVIII of 1948 ) and in supersession of all previous notifications in this behalf, the Government of Rajasthan is pleased to appoint Shri Hansraj Pabuwal, Chief Inspector of Factories and Boilers in the Labour Department, Rajasthan, to be the Chief Inspector who shall in addition to the powers conferred on him under the said Act exercise the powers of an Inspector throughout the State of Rajasthan.

By Order of  
His Highness the Rajpramukh  
CHANDRA PAL SINGH,  
Secretary to the Government.

Published in Raj. Raj-patra Vol. 3 No. 183 Dated 22-3-52 part I at page 1165 :

Labour Department.

NOTIFICATIONS.

Jaipur, February 22, 1952.

**No. 372/ Lab.**—In exercise of the powers conferred under sub-section (1) of section 10 of the Indian Factories Act, 1948 (LXIII of 1948) the Government of Rajasthan is pleased to appoint the Principal Medical Officers of Rajasthan as certifying surgeons within their respective areas for the purposes of the said Act. In respect of those places where there are no Principal Medical Officers, the Government is further pleased to appoint the District Medical and Health Officers as Certifying Surgeons within their respective areas for the purposes of the said Act.

Published in Raj. Raj-patra Vol. 4 No. 71 Dated 12-7-52 part I at page 352 :

Jaipur, July 2, 1952.

**No. F. 20 (5) Lab./52.**—In exercise of the powers conferred by section 86 of the Factories Act, 1948, the Government of Rajasthan is pleased to exempt the Industrial Training Centre, Water Works, Jaipur, from the operation of section 6 of the said Act.

By Order of  
His Highness the Rajpramukh,  
CHANDRA PAL SINGH,  
Secretary to the Government

Published in Raj. Raj-patra Dated December 13, 1952 part I at page 871 :

Jaipur, December 4, 1952.

**No. F. 15 (6) Lab./52.**—In exercise of the powers conferred under sub section (2) of section 49 of the Factories Act, 1948 (Act No. LXIII of 1948) and in continuation of Government notification No. F. 15 (6) Lab./52, dated 13-9-52, the Government of Rajasthan is pleased to notify that the Welfare Officers (Recruitment and Conditions of Service) Rules, 1952 shall come into force with immediate effect:

By Order of  
His Highness the Rajpramukh,  
K. L. MITTAL,  
Deputy Secretary to the Government

*Notes*

The Government Notification No. F. 15 (6) Lab./52 dated 13/9/52 referred to in this notification is the notification under which the Welfare Officers Rules have been framed. The notification appears under the separate heading of these rules.

Published in Raj. Raj-patra Dated June 27, 1953 part I at page 303 :

LABOUR DEPARTMENT.

NOTIFICATION

Jaipur, June 16, 1953.

**No. F. 15 (4) Lab./52.**—In exercise of the powers conferred under section 8 (5) of Factories Act, 1948, the Government of Rajasthan is pleased to appoint the Lady Labour Welfare Officer, Rajas-

than, as an Additional Inspector for the enforcement of the provision of the Act in Rajasthan so far they relate to female and child labour.

By Order of  
His Highness the Rajpramukh,  
G. L. MEHTA  
Secretary to the Government.

*Published in Raj. Raj-patra Dated August 22, 1953 part I at page 636 :*

Jaipur, August 14, 1953.

No. F. 15 (4) Lab. /53.—In exercise of the powers conferred under sub-section 5 of section 8 of the Factories Act, 1948, the Government of Rajasthan is pleased to appoint the Labour Officer, Bhilwara an Additional Inspector of Factories for Udaipur Division for all the provisions of the Act.

The notification No. F. 15 (4) Lab./53, dated the 20th July, 1953, is hereby cancelled.

By Order of  
His Highness the Rajpramukh,  
G. L. MEHTA  
Secretary to the Government.

*Published in Raj. Raj-patra Dated June 18, 1955 part I (b) at page 222 :*

Labour Department

### NOTIFICATION

Jaipur, June 2, 1955.

No. F. 15 (4) Lab./52.—In exercise of the powers conferred by section 86 of the Factories Act, the Government of Rajasthan is pleased to exempt the M. B. M. Engineering College Workshop, Jodhpur and the Birla Engineering College Workshop Pilani from all the provisions except those of sections 6, 7, 51, 52, 53, 54, 55 and 59 of the aforesaid Act, on the condition that the workers shall be maintained exclusively for the purposes of education and training.

No fees shall be charged for registration and licencing of the aforesaid workshops under Rule 5 of the Rajasthan Factories Rules, 1951.

By Order of  
His Highness the Rajpramukh,  
G. L. MEHTA  
Secretary to the Government.

*Published in Raj. Raj-patra Dated April 7, 1956 part I (a) at page 12 ;*

ENGLISH TRANSLATION

*(Authorsied by His Highness the Rajpramukh)*

### NOTIFICATION

Jaipur, September 8, 1955.

No. F. 1 (28) Lab/52.—In exercise of the powers conferred under sub section (1) of section 10 of the Indian Factories Act, 1948 (LXIII of 1948), the Government of Rajasthan is pleased to appoint all Railway doctors as indicated in the list below as Certifying Surgeons for each of the Railway factories mentioned in the list against them.

## List of Factories on Western Railway in the State of Rajasthan.

No.	Name of the Factories.	Designation of Railway Doctors appointed as the Certifying Surgeons.	Place
1.	Loco and Carriage Workshop, Jaipur	Assistant Medical Officer.	Bandikui.
2.	Wagon Repair Depot, Gangapur	-do-	Gangapur City.
3.	Power House, Gangapur City.	-do-	-do-
4.	Loco, Carriage & Wagon Workshop, Udaipur.	-do-	Udaipur. By Order of His Highness the Rajpramukh, G. L. MEHTA, Secretary to the Government

Published in Raj. Raj-patra Dated April 14, 1956 part I (a) at page 19:

ENGLISH TRANSLATION  
(Authorised by His Highness the Rajpramukh)  
Jaipur, September 9, 1955

No. F. 1 (28) Lib./52.—In exercise of the powers conferred by sub section (1) of section 10 of the Factories Act, 1948 (LXIII of 1948), the Government of Rajasthan is pleased to appoint the Assistant Medical Officer, Northern Railway, Jodhpur as Certifying Surgeon for the Northern Railway Work-shop, Jodhpur.

Published in Raj. Raj-patra Dated December 24, 1955 part I (b) at page 753:

ENGLISH TRANSLATION.  
(Authorised by His Highness the Rajpramukh)  
Jaipur, October 18, 1955.

No. F. 19 (5) Lib /54.—In exercise of the powers conferred by sub-section (1) of section 85 of the Factories Act, 1948 ( LXIII of 1948), the Government of Rajasthan hereby declares that all the provisions of the said Act, except the provisions of the sections specifically mentioned below against each category, shall apply to the categories of places specified hereunder, where a manufacturing process is being carried on with or without the aid of power or is so ordinarily carried on, notwithstanding that—

- (i) the number of persons employed therein is less than ten, if working with the aid of power and less than twenty if working without the aid of power, or
- (ii) the persons working therein are not employed by the owner thereof but are working with the permission of, or under agreement with, such owner :-

Categories of Places.	Provisions of the Factories Act, 1948 which shall .. not apply to them.
1	2

- (a) All places where the process of Sections 15, 47 and 48 of the wool cleaning is carried on or Act in respect of all workers. ordinarily carried on.
- (b) All places where the process of Bidi manufacture is carried on or ordinarily carried on. -do-
- (c) All places where saw machines and other wood working machines are used or ordinarily used. -do-
- (d) All places where any of the following processes is carried on or ordinarily carried on by way of trade or for purposes of gain or incidentally to another business so carried on:—
  - (i) Printing by letter press;
  - (ii) Lithography;
  - (iii) Photogravure;
  - (iv) Other similar work.

By Order of  
 His Highness the Rajpramukh,  
 G. L. MEHTA,  
 Secretary to the Government.

*Published in Raj Raj-patra Dated February 4, 1956 part I (b) at page 1000 :*

ENGLISH TRANSLATION  
*[Authorised by His Highness the Rajpramukh]*  
 NOTIFICATIONS

Jaipur, December 26, 1955.

No. F. 1 (28) Lab./52.—In exercise of the powers conferred by sub-section (1) of section 10 of the Factories Act, 1948 (LXIII of 1948), the Government of Rajasthan hereby appoints the following as ex-officio Certifying Surgeons for the areas mentioned against each:—

<i>Officer appointed as Certifying Surgeon.</i>	<i>Area for which appointed.</i>
1	2
1. All Principal Medical and Health Officers.	Within their
2. All District Medical and Health Officers.	Jurisdiction.
3. Superintendent, Sawai Man Singh Hospital.	Area within the Municipal Board of Jaipur city.

This is in supersession of Notification No. 372/ Lab., dated the 22nd February, 1952.

By Order of,  
 His Highness the Rajpramukh,  
 G. L. MEHTA,  
 Secretary to the Government.

*Published in Raj. Raj-patra Dated May 12, 1956 part I (b) at page 188.*

Jaipur, April 25, 1956.

No. F. 23 (i) C.&I/51.—His Highness the Rajpramukh of Rajasthan is pleased to order that the practice of licensing of industries, under the Marwar Factories Licensing Act, 1947, the Bikauer Rules for licensing of Minor Industries 1946 and the Mewar Government Order of 1947 or under the power delegatee under this Department Order No. F. 21 ( 406 ) C. &I/ 51 dated 25th July, 1951 shall be discontinued with immediate effect.

This will, however, not affect licensing of factories by the Chief Inspector of Factories, undsr the Indian Factories Act, 1948.

By order of  
His Highness the Rajpramukh  
R. N. HAWA  
Secretary to the Government.

*Published in Raj. Raj-patra Dated May 30, 1957 part I (a) at page 54:*

NOTIFICATION  
Jaipur, May 3, 1957.

No. F. 1 (12) LAB/57.—In exercise of the powers conferred by sub-section (2) of section 8 of the Factories Act, 1948 ( Central Act LXIII of 1948 ), the State Government hereby appoints Shri Hans Raj Pabuwal to be the Chief Inspector of Factories for the State of Rajasthan, with Head-quarters at Jaipur. This supersedes all previous notifications on the subject in force in any part of Rajasthan and shall have effect as from 1st November, 1956.

By Order of the Governor,  
A. K. ROY,  
Secretary to the Government.

*Notifications under*

**INDIAN FACTORIES ACT, 1948.**

*Published in Rajasthan Raj-patra part I (a) dated January 15, 1959 at page 338*

**Industries (C) Department**

**(Labour Section)**

**NOTIFICATIONS**

**Jaipur, December 11, 1958.**

No. F. 1 (12)/Lab/56.—In exercise of the powers conferred by sub-section (1) of section 8 of the Factories Act, 1948 (Central Act No. LXIII of 1948) the Government of Rajasthan hereby appoints the following persons to be the Inspectors of Factories for the areas specified against each, namely:—

S. No.	Name	Headquarters	Area
1.	Shri Mukund Lal Agrawal	Jaipur	Ajmer Division.
2.	Shri Prabhakar Deo Dandia	Beawar	Ajmer, Kota and Udaipur Divisions.
3.	Shri Ram Narain Sharma	Kota	Kota and Ajmer Divisions.
4.	Shri Sachda Nand Sharma	Bhilwara	Udaipur and Kota Divisions.
5.	Shri Iswar Dayal Garg	Bikaner	Bikaner and Jodhpur Divisions.
6.	Shri Brijendra Kumar	Jodhpur	Jodhpur and Bikaner Divisions.

And in pursuance of sub-section (6) of the said section further declares that the prescribed notices in respect of the factories in the areas specified below shall be sent to the Inspectors posted at the headquarters shown against each such areas:—

S. No.	Areas	Factories	Inspectors posted at
1.	Ajmer Division excluding Ajmer District		Jaipur
2.	Ajmer District		Beawar
3.	Kota Division		Kota
4.	Udaipur Division		Bhilwara
5.	Jodhpur Division		Jodhpur
6.	Bikaner Division		Bikaner

This supersedes Notification No. F. 1 (12)/Lab/57, dated the 29th April, 1957 and shall have effect as from date of publication.

By Order of the Governor,  
M. N. PANCHOLEY,  
Deputy Secretary to the Government.

*Published in Raj. Rajpatra part I (b) dated January 21, 1959 at page 1234*

### Industries (C) Department

#### ORDERS

Jaipur, December 12, 1958.

No. D. 15185/F. 3 (15) Lab. 58.—In exercise of the powers conferred by section 86 of the Factories Act, 1948 (63 of 1948) the State Government hereby exempts the Rajasthan Khadi Sangh, Chomu, from payment of fees for renewal of their licences payable under rule 7 of the Rajasthan Factories Rules, 1951 with effect from 1-1-59.

*Published in Raj. Rajpatra part I (b) dated July 2, 1959 at page 198*

Jaipur, May 19, 1959.

No. D. 1448/F.9 (92)/Lab./57.—In exercise of the powers conferred upon it by section 86 of the Indian Factories Act, 1948 (Act No. LXIII of 1948), the State Government hereby exempts the workshop attached to the Air Force Flying College at Jodhpur from the provisions of the said Act.

Jaipur, may 23, 1959.

No. 48/F. 1 (43) Lab/56.—In continuation to the Notification Nc- F. 1 (28) Lab./52, dated the 25th December, 1955, and in exercise of the powers conferred by sub-section (1) of section 10 of the Factories Act, 1948 (LXIII of 1948), Government of Rajasthan herereby appoints the District Medical Officer, Western Railway, Ajmer as the ex-officio Certifying Surgeon for the purposes of the act for the following factories:—

1. Locomotive Workshop, Ajmer.
2. Carriage and Wagon Workshop, Ajmer.
3. Divisional Signal and Telecommunication Engineering Workshop, Ajmer.
4. Ticket Printing and Railway Press, Ajmer.
5. Electrical Workshop and Power House, Ajmer.
6. Inspector of works Workshop, Ajmer.

*Published in Raj. Rajpatra part I (b) dated July 9, 1959 at page 208*

Jaipur, June 8, 1959.

No. D. 1448 F. 9 (92) Lab./57—In exercise of the powers conferred upon it by section 86 of the Indian Factories Act, 1948 (Act No. LXIII of 1948), the State Government hereby exempts the workshop attached to the Central Electronics Engineering Research Institute, Pilani, from the provisions of the said Act.

Published in Raj. Raj-patra part I (b) dated October 29, 1959 at page 337

Jaipur, September 15, 1959.

No. D. 7377/F. 3 (76) Ind. (C) 59.—In partial modification to the Notification No. F. 1 (12) Lab./58 dated the 18th December, 1958 and in exercise of the powers conferred by sub-section (1) of section 8 of the Factories Act, 1948 (Central Act No. LXIII of 1948), the Government of Rajasthan hereby appoints the following person as Inspector of Factories for the area specified against each, namely:—

S. No.	Name.	Headquarters.	Area.
1.	Shri Mukand Lal Agarwal.	Jaipur	Whole of Rajasthan.

Published in Raj. Raj-patra part I (b) dated January 7, 1960 at page 439

Jaipur, October 13, 1959.

No. D. 7689/F. 3 (58) Ind. (C) 59.—In exercise of the powers conferred by sub-section (1) of section 10 of the Factories Act, 1948 (Central Act LXIII of 1948) the State Government hereby appoints the Medical Officer, Government dispensary, Sambhar Lake as ex-officio certifying surgeon for the Hindustan Salt Co., Sambhar-lake.

By Order of the Governor,  
M. P. SHUKLA,  
Secretary to the Government.

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*Rules and Notifications under*  
**FISHERIES ACT, 1953 THE RAJASTHAN (16 OF 1953)**

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# RAJASTHAN FISHERIES RULES, 1958

## Notes

These rules have been framed in exercise of the powers conferred by section 5 of the Rajasthan Fisheries Act, 1953. Section 5 of the Act reads as under:—

(1) The State Government may, after previous publication, make rules for the purposes hereinafter in this section mentioned and may in such rules declare the waters, not being private waters, to which all or any of them shall apply.

(2) The State Government may also, by notification in the Rajasthan Gazette, apply such rules or any of them to any private waters with the consent in writing of the owner thereof and of all persons having for the time being any exclusive right of fishery therein.

[3] Such rules may—

(a) prohibit or regulate all or any of the following matters, that is to say,—  
[i] the erection and use of fixed engines;  
[ii] the construction, temporary or permanent, of weirs, dams and bunds;  
[iii] the dimensions and kinds of the nets to be used and the modes of using them;

[iv] the methods of catching fish:  
(b) prohibit the destruction of, or any attempt to destroy, fish by guns, bows, arrows and the like;  
(c) prohibit the destruction of, or any attempt to destroy, fish by using any substance likely to cause pollution of water;  
(d) prohibit the throwing into any water of any solid or liquor substances harmful to fish;  
(e) regulate the grant of such licences, the fees payable therefor and the conditions to be inserted therein;  
(f) prescribe the seasons in which the killing, catching or sale of fish of any prescribed species shall be prohibited; and  
(g) prescribe the minimum size or weight below which no fish of any prescribed species shall be killed or sold.

[4] Such rules may also prohibit all fishing in any specified water for a specified period.

[5] In making any rules under this section, the State Government may provide for:—

(a) the seizure, removal and forfeiture of any fixed engine or apparatus erected or used for fishing in contravention of the rules; and  
(b) the forfeiture of any fish taken by means of any such fixed engine or apparatus.

Certain corrections of mere printing and omission were made through Animal Husbandry Department Notification No. F. 29 [46] AGR/54 dated 16/10/58 published in Rajasthan Rajpatra, dated 6/11/58. The corrections have been incorporated in the body of the rules.

## AGRICULTURE DEPARTMENT.

### NOTIFICATION.

Jaipur, August 22, 1958

No F. 29 [46] Agr/54.—In exercise of the powers conferred by section 5 of

These rules have been first published in Rajasthan Rajpatra dated December 11, 1958 in part IV (c) at page 922 :

the Rajasthan Fisheries Act, 1953 [Act No. XVI of 1953], the Government of Rajasthan makes after previous publication the following Rules, namely:—

1. *Title, extent & Commencement.*—(a) These rules may be called the Rajasthan Fisheries Rules, 1958.

(b) They shall come into force on their publication in the Rajasthan Gazette and shall apply to all the waters in Rajasthan except (i) private waters and (ii) the waters which form a common boundary between Rajasthan and any other State.

2. *Definition.*—In these rules the "Act" means the Rajasthan Fisheries Act, 1953 (No. XVI of 1953)

3. *Issue of Licence.*—Licences under the Act shall be granted by the Fishery Officer in one of the forms annexed to these rules.

4. *Fees.*—Fees for licences under the Act shall be as follows:—

(1) Seasonal Fishery Licence (Form No. 1)

(a) Dragnet	Rs. 50/-
(b) Castnet	Rs. 35/-

(2) Angling Licence (Form No. 2 Rod and Line and Head line)

(a) for a year	Rs. 12/-
(b) for a period of one month.	Rs. 4/-
(c) for one day	Re. 1/-

(3) In case of licence by auction (Form No. 3) the fees shall be the amount at which the highest bid has been accepted:

Provided that the Government may by notification in the Official Gazette from time to time after these fees.

5. *Procedure by auction.*—(a) On or after the 1st day of August each year the Director of Animal Husbandry or any other officer specially appointed by him for the purpose may in case of waters he considers reasonable and necessary to do so, auction the right of fishing. The highest bidder after confirmation by the Director of Animal Husbandry shall have the sole right of fishing in the waters in respect of which the auction was held in accordance with the licence granted to him in this behalf in Form No. 3.

(b) The Director of Animal Husbandry or the Auction Committee, if any, specially appointed by him for conducting the auction shall, for reasons to be recorded in writing have the right to reject any bid offered.

6. *Payment of fees and security money in case of licence by auction.*—(a) The person whose bid has been accepted shall pay the amount offered by him for fishing in full at the time of auction or by 2 equal instalments, one payable at the date of auction and the other before issue of licence. In case the bid is for Rs. 5000/- and more, the first instalment will be 25 per cent. of the total bid and the remaining balance will be the second instalment.

(b) The licensee shall have to deposit 5 per cent. of the total money if the bid is Rs. 5000/- as security along with the second instalment or at the time of taking the licence. That amount shall

be refunded after the term of licence is over after deducting any dues or penalty if any in case of failure in compliance of any of the terms of the licence.

7. *Term of Licence by auction.*—Licence granted by auction shall remain in force from the date of issue to the 30th June each year.

8. *Refund of fees.*—The licence fee may be refunded to the licensee or his legal heir on the presentation of a claim for refund within one week from the date of issue of licence, if it is proved to the satisfaction of the Officer issuing the licence that the licence was not availed of under special circumstances such as change of residence to a place where the licence can not be made use or the death of the licensee immediately after the licence was issued.

9. *Loss of licence.*—When the licence is lost or destroyed the authority is empowered to grant a duplicate copy of the original licence on payment of a fee of rupee one and thereupon, the original licence which is lost shall be considered as cancelled.

10. *Conditions of the licence.*—(1) A licensee shall be entitled to fishing personally or by his agent or nominee and shall be provided with written permits (Form No. 4) by the Fishery Officer.

(2) The Fishery Officer may from time to time as the need be supply to the licensee a sufficient number of blank permits (Form No. 4) duly signed by him or any officer empowered by him in this behalf.

(3) A licensee by auction (Form No. 3) may use the following kinds of gear only for the purpose of fishing:—

(a) Nets of all kinds except phasla (Rangoon nets) not having any portion of a mesh less than  $1\frac{1}{2}$  inches in size from knot to knot or 6 inches all round and a mesh of 1" size or 4" all round in the case of cast nets.

(b) long line with hooks,

(c) rod and line,

(d) spear.

Provided that :—

(i) no gear except rod and line shall be used in river or stream within a distance of 200 yards of a bridge.

(ii) no net meant for prawn (Jhingas) catching shall be used without the permission of the Fishery Officer.

(4) (i) no licensee shall erect without the permission of the Fishery Officer any fixed engines except in the case of stake nets when they are temporarily fixed in water for use in cox-conjunction with other nets.

(ii) the licensee shall not catch any fish less than 9 inches in length or less than half a seer in weight of the species namely, Rohu, Kalbos, Narain, Catla, Mahaseer and Sanwal, if caught, should be immediately liberated alive in the water.

(iii) the licensee except the holder of an Angling licence shall maintain regular account of each and every catch, which shall

always be open for check without notice by the Fishery Officer or any person authorised in writing by the Director of Animal Husbandry. He shall be bound to send fortnightly copies of such account under registered cover in Form No. 5.

(iv) the licensee or his agent or nominee shall report to the nearest fisheries station or office wherever any remarkable feature of scientific or economical importance is noticed by him.

(v) the licensee shall not fish in religious waters or places or bathing ghats.

(vi) the licensee shall always transport fish under cover so as not to rouse public sentiment.

(vii) the licensee shall not use state property or interfere with material or tackle belonging to the State.

(viii) the licensee shall not erect any hut or shed or any other structure or any embankment etc. except under special orders of the Fishery Officer.

(ix) on demand the licensee or his agent shall show his licence or permit to any person empowered to arrest without warrant under section 9 of the Act.

11. *Closed season.*—The period from 1st July to 15th September in each year shall be "close season" during which no fishing except with rod and line, hand line and long line shall be allowed provided that the period of close season may be reduced in any part of Rajasthan, in any year, by the Government.

12. *Seizure, removal and forfeiture in official enquiries:*—Any fixed engine erected or used in contravention of the provision of rule 10 sub rule 4 (1) may be seized or removed by the Fishery Officer or any person especially empowered by name or by virtue of his office by the Govt. in this behalf, and it shall be liable by the order of the Fishery Officer or the licensing authority concerned, to forfeiture.

13. *Forfeiture of apparatuses used in contravention of these rules.*—All apparatus erected or used for fishing in contravention of these rules may be seized, taken and removed to the nearest police station or the fisheries office by any person empowered under section 9 of the Rajasthan Fisheries Act, 1953 and all such apparatus and the fish caught shall be forfeited on conviction of the offender in addition to any punishment awarded under the Act.

Provided that the seized fish which is subject to speedy and natural decay may be sold by open bids by the Fishery Officer and the sale proceeds thereof dealt with in accordance with the procedure laid down for all receipts under head xxix(29) Agriculture (Fisheries) subject to any orders by the Court.

14. *Cancellation of a licence.*—If any licensee or his agent breaks any of the conditions of the licence the Fishery Officer may cancel the licence or permit. On the cancellation of the licence all permits issued along-with it shall also be considered as cancelled and the amount already paid by the licensee shall not be refunded to him.

15. *Fishing by the Department for scientific purpose.*—Nothing in these rules shall prevent the Officers and staff of the Fisheries Department in catching fish of any species and size and in any water at any time and by any means for scientific purpose.

FORM NO. 1  
*Seasonal Fishing Licence.*

1. Book No.....
2. Licence No.....
3. Class Dragnet  
Castnet
4. Date of payment of fee.....
5. Fee paid.....
6. Date of issue of licence .....
7. Period for which issued.....
8. Name of the licensee ... ..... S/o.....
9. Resident of .....
10. Identification mark of the licensee.....
11. Licensee's Age.....

Permission is hereby granted to the licensee to fish in the waters specified below from the date of issue up to the.....  
195 subject to the conditions laid down under the Rajasthan Fisheries Rules, 1957.

Waters ..... District.....  
Rs.....

Fishery Officer

Conditions under which this licence is issued:—

1. The licensee may fish with nets of all kinds (except phalsa) provided that no net shall have at any portion of it a mesh of less than  $1\frac{1}{2}$ " in size from knot to knot or 6" alround except for casting nets where the size of mesh may be up to 4" or 1" from knot to knot.

2. Erection of dams or weirs, diversion of water, use of fixed engines (except stake nets) when they are temporarily in water for use in conjunction with other nets, explosive substances, poison, lime or other noxious material are prohibited. No stake net as such and phalsa in any case should be used without the permission of the licencing authority.

3. This licence must be produced on demand by any person authorised to demand it.

FORM NO. 2

1. District.....
2. Period for which issued.....
3. Date of payment of fee.....
4. Fees paid Rs.....
5. Name and address of the licensee.....

.....  
Permission is hereby granted to the licensee to fish in the water specified below from the date of issue of this licence subject to

the conditions laid down under the Rajasthan Fisheries Rules, 1957.

Water.....

Conditions under which the licence is issued :—

1. The licensee may fish with :—

(a) Rod and line, hand line and long line only and can use not more than two rods or two lines or one rod and one line at a time. The line should not contain more than 10 hooks.

2. The licensee shall not employ or engage any person (other than his own children under the age of 16) to help him with his rods unless the person so employed is also licence holder.

### FORM No. 3

#### *Fishing Licence (Rule No. 5)*

No .....

This Indenture made this ..... day of ..... 19 ..... between the Governor of Rajasthan (hereinafter referred to as "the Government", which expression shall where the context so admits be deemed to include his successors and assigns) of the one part and ..... son of ..... caste ..... age ..... occupation ..... resident of ..... (hereinafter referred to as the licensee which expressed on shall, where the context so admits, be deemed to include his heirs, executors, administrators and permitted assigns of the other part.

Whereas upon an auction of the fishing in the waters described in the schedule annexed hereunder (hereinafter described as "the said waters") the boundaries of which were shown to the licensee, the licensee gave the highest bid of Rs ..... as fee, which was accepted by the Director of Animal Husbandry, Rajasthan, and the licensee has paid the said amount, i.e. ..... on ..... and Rs ..... on ..... and the Government have agreed to grant the said licensee a licence on the consideration and conditions hereafter appearing.

Now these presents witness—

In consideration of the fees paid by the licensee as aforesaid and agreements hereafter contained and on the part of the licensee to be observed and performed, the Government hereby grants to the licensee this licence to enter in and upon the said waters to search for, catch and carry fish upon the following conditions namely:—

(1) The licensee shall observe all the provisions of Rules and Regulations of the Fisheries Department, and agrees to carry out duly all instructions not inconsistent with these presents of the said department.

(2) No application from the contractor shall be entertained regarding the rise or fall in level of the water of the

place auctioned as compared to its position at the time of auctioning nor can be claim compensation.

(3) The licensee shall take reasonable precautions to protect Government property in the area under his possession.

(4) The security money shall be realised from the licensee as per Rule No. 6 (b) of the Rajasthan Fisheries Rules, 1957.

(5) The licensee has no right to take out anything else than the fish from the water auctioned to him, e.g.: prawns, crocodiles, etc.

(6) Licence granted by auction shall remain in force : from the date of issue up to the 30th June, each year.

(7) When the licence is lost or destroyed, the authority granting this licence may grant another licence which shall be a duplicate copy of the original on payment of a fee of rupee one. The original licence which is lost shall be considered as cancelled.

(8) A licensee shall be entitled to fish personally or by his agent or nominee and shall be provided with blank written permits by the Fishery Officer.

(9) A licensee may use the following kinds of gear only for the purpose of fishing:—

(a) Nets of all kinds except phalsa (Rangoon nets) not having any portion of a net less than 1½ inches in size from knot to knot to 6 inches all round and a mesh of 1" size, or 4" all round the case of cast nets.

(b) Long line with hooks nets.

(c) Rod and line.

(d) Spear.

Provided that:—

(i) No net for prawn (Jhingas) catching shall be used without the permission of the Fishery Officer.

(ii) No gear except rod and line shall be used in river or stream within a distance of 200 yards of bridge.

(10) No licensee shall be entitled to erect any fixed engines except in the case of stake nets when temporarily fixed in water for use in conjunction with dragnets.

(11) The licensee shall not catch any fish less than 9 inches in length or less than half seer in weight of the following species (Rehuh-Collos-Narain Catla, Mohasser and sanwal and the same), if caught, should be immediately liberated alive, in the water.

(12) The licensee shall maintain regular account of catch and every catch which shall always be open for check without notice by the Fishery Officer or any body autho-

rised in writing by the Director of Animal Husbandry. He shall be bound to send fortnightly copies of such account under registered cover in form No. 5.

(13) The licensee or his agent or nominee shall report to the nearest fisheries station or officer wherever any remarkable feature of scientific or economic importance is noticed by him.

(14) The licensee shall not fish in religious waters or places or bathing ghats.

(15) The licensee shall always transport fish under cover so as not to rouse public sentiment.

(16) The licensee shall not use State property or interfere with material or tackle belonging to the State.

(17) The licensee shall not erect any hut or shed or any other structure or any embankment etc. except under special orders of the Fishery Officer.

(18) On demand the licensee is bound to show his licence or permit.

(19) Any fixed Engine erected or used in contravention of the provisions of the Rajasthan Fisheries Rules, 1957 may be seized or removed by the Fishery Officer or any person especially empowered by name or by virtue of his office by the Government in this behalf, and it shall be liable by the order of the Fishery Officer or the licencing authority concerned, to forfeiture.

(20) All apparatus erected or used for fishing in contravention of these conditions may be seized, taken and removed to the nearest police station or Fisheries Office by any person empowered under section 9 of the Rajasthan Fisheries Act, 1953 and all such apparatus and the fish caught shall be forfeited on conviction of the offender:

Provided that the seized fish which is subject to speedy and natural decay may be sold by open bids by the Fishery Officer and the sale proceeds thereof dealt with in accordance with the procedure laid down for all receipts under head xxix (29) Agriculture (Fisheries) subject to any orders by the Court.

(21) If the licensee or his agent commits breach of any of the conditions of this licence, the Fishery Officer may cancel the licence or permit. On the cancellation of licence all permits issued along with it shall also be considered as cancelled and the amount already paid by the licensee shall not be refunded to him.

(22) Nothing in this licence shall prevent the officers and staff of the Fisheries Department in catching fish of any species and seize in the said waters at any time and by any mass for scientific purposes.

In witness whereof these presents have been executed in the manner hereunder appearing the day and year first above written.

Signed by the Licensee.

Signature.....

Signed for and on behalf of the Governor of Rajasthan.

Signature.....  
Designation.....

Witness:—

(1).....  
(2).....

Witness:—

(1).....  
(2).....

#### FORM No. 4

##### *Permit*

Name.....  
The Fishing permit is valid for .....only  
and is granted under Licence No .....  
dated ..... for the period from .....  
to .....

This shall be cancelled along with the above licence, or earlier under the orders of the authority issuing.

Issuing Authority.

#### FORM No. 5

##### *Catch Statement*

1. Name of the contractor.....
2. Licence No.....
3. Water.....
4. Area.....

S. No.	Date	Species Local name	No.	Weight			Remarks.
				Md.	Seer.	Ch.	
1	2	3	4	5	6	7	8

By Order of the Governor,  
**BALWANT SINGH,**  
*Secretary to the Government.*

*Notification under*

**RAJASTHAN FISHERIES ACT, 1953**

Agriculture (IV) Department

Jaipur, June 14, 1966

Notification No. F. 6 (49) Agr./IV/66—In exercise of the powers conferred by section 11 of the Rajasthan Fisheries Act, 1953 (Rajasthan Act 16 of 1953), the State Government hereby empowers the Director of Animal Husbandry, Rajasthan to compound cases specified in the Schedule of the Rajasthan Fisheries Act 1953 (Rajasthan Act 16 of 1953) by acceptance of a sum not exceeding one hundred rupees under the said Act.

[Pub. in Raj. Gaz. 4 (Ga) Dt. 14-7-66 Page 230]

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*Rules and Notifications under*  
**FOREIGNERS ACT, 1946 (No. 31 OF 1946)**

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# **RAJ. CONDITIONS OF DETENTION (FOREIGNERS ACT), ORDER, 1966**

Home 'F' Department

Jaipur, March 24, 1966

Notification No. F. 12 (1) HF/66.—In exercise of powers conferred by sub-section (1) of section 4 of the Foreigners Act, 1946 (Central Act 31 of 1946), read with the Government of India, Ministry of Home Affairs Notification No. F. 1/45/63-1. Intt., dated the 31st December, 1964, the Government of Rajasthan hereby prescribe the conditions for arrest and detention or confinement of the Pakistani nationals ordered under clause (g) of sub-section (2) of section 3 of the said Act, to be detained in any prison in Rajasthan, namely:—

The Rajasthan conditions of detention (Foreigners Act), Order, 1966:—

1. Short title and application:—(1) This order may be called the Rajasthan conditions of detention (Foreigners Act) Order, 1966.

(2) It shall extend to whole of Rajasthan and shall apply to all Pakistani nationals ordered to be arrested and detained or confined by an order under clause (g) of sub-section (2) of section 3 of the Foreigners Act, 1946 (31 of 1946).

2. Definitions.—In this order, unless the context otherwise requires—

(a) "Act" means the Foreigners Act, 1946 (Central Act 31 of 1946).

(b) "Conditions" means the conditions prescribed for detention of Pakistani nationals under clause (g) of sub-section (2) of section 3 of the Foreigners Act, 1946.

(c) "Detenu" means a Pakistani national detained under section 3(2)(g) of the Foreigners Act, 1946.

(d) "Inspector General" means the Inspector General of Police in Rajasthan.

(e) "Prisoner" means a person other than a detenu, duly committed to confined or detained in a Jail.

(f) "Pakistani National" means any person who has acquired the Citizenship of Pakistan.

(g) "Jail" means prison as defined in Section 3 of the Prisons Act, 1894 (Central Act 9 of 1894) of the Central Legislature as adopted to or in force in any area of Rajasthan.

(h) "Superintendent" means the Superintendent of any Jail or prison of any District of Rajasthan.

3. Classification.—(1) The Pakistani nationals arrested and detained or confined under order clause (g) of sub-section (2) of section 3 of

the Foreigners Act, 1946, shall be classified as division I or division II detenus according to the condition of their health and their education, status and mode of living before arrest.

(2) The classification of each detenu shall be made by the authority passing the order of arrest and detention or confinement.

(3) Subject to the other provision of this order, detenu of Division I and II shall ordinarily be treated in the same manner as may for the time being be prescribed respectively for 'B' and 'C' class prisoners.

**4. Custody and Procedure:**—(1) A detenu shall ordinarily be removed and detained in any of the Jails in Rajasthan specified for the purpose by the Government.

(2) The detenus shall be kept separately from ordinary prisoners:

Provided that Superintendent of Jail may detain any detenu separately, if he considers it desirable on grounds of health or for any other reason.

**5. Diet:**—The detenus of Division I and II shall be entitled to the same diet as is prescribed for prisoners of class B and C respectively.

Provided that the detenus of these two divisions may, with the permission of the District Magistrate, be permitted to receive food from private sources to the same extent and in the same manner as Civil prisoners.

**6. Clothing bedding and utensils:**—(1) Each 'detenu' may wear his own clothes and his relations may, if permitted by the Superintendent to do so, send him extra clothing and bedding. Each detenu who is unable to provide sufficient clothing and bedding shall be supplied with clothing and bedding according to the scale prescribed for the Civil prisoners of corresponding class.

(2) A detenu shall be allowed to bring his own feeding utensils, but if for any reason he is unable to do so, the Superintendent shall allow him such utensils as are admissible to B and C class Civil prisoners according to his Division i.e. I and II respectively, as the case may be.

**7. Searches**—(1) Every detenu and his ward or cell shall be searched thoroughly by the Superintendent not less than once a week and the result of the searches shall be noted in the Jailor's note book.

(2) The detenu shall be searched before and after interviews and at any other time if the Superintendent considers it necessary.

(3) If the detenu is a lady, she should be searched by a lady warder.

(4) In conducting the searches of detenus, privacy shall be observed and care shall be taken to avoid humiliation.

**8. Supply of funds**—(1) A detenu may, with the previous sanction of Inspector General and Superintendents receive from a specified relative or friend at intervals of not less than a month, an amount not exceeding Rs. 20.00 per month if he/she is a Division I detenu and Rs. 10/- per month if he/she is a Division II detenu and may spend the amount or a

similar sum from his private funds on such object and in such manner as may be permissible under the rules. In cases in which for want of fellow any detenu is compelled to do without small amenities which his fellow detenus enjoy, such amenities may if considered absolutely necessary by the Superintendent be supplied to him at Government cost.

(2) All funds so received shall be kept by the Superintendent and spent by him on behalf of the detenu.

(3) Amounts in excess of those prescribed in sub-clause (1) may be received by the Superintendent on behalf of detenus but these shall not be spent in any month beyond the limits laid down on the said sub-clause.

9. Furniture and toilet articles.—The detenu shall be supplied with furniture and toilet articles to the same extent as has been prescribed for B and C class prisoners.

10. Interviews.—(1) Save in accordance with an order of the authority, who issued orders to detain him in writing no detenu shall be permitted to have an interview with any person other than a Police officer.

(2) If a detenu is allowed to have an interview with his friends and relatives, it shall be—

(a) in the case of Division I once in two months; and

(b) in the case of Division II once in three months during his period of detention.

(3) Interviews with relatives i.e. wife, husband, father, mother, brother, son, sister, daughter, uncle, aunt and children of brother and sister shall be limited to an hour's duration and those with others to half-an-hour.

(4) All interviews shall take place in the presence of an Officer not below the rank of a Sub-Inspector deputed for the purpose by the Inspector General of Police Rajasthan and such Officer may stop the interview if the conversation turns on any undesirable subject and may also report the matter to the Superintendent who may inflict any of the punishments enumerated in clause 15; subject to this provision the place and mode of interview shall be determined by the Superintendent.

(5) The Sub-Inspector of Police should make a report of the conversation on any undesirable subject exchanged between the detenu or the person who is allowed interview to the Inspector General of Police through proper channel for the information of the Government.

(6) The Superintendent of the Jail shall maintain a statement of all interviews between a detenu and his relative or other persons with the names of the persons present at each interview.

11. Police Interviews.—Subject to the directions of the Government the Inspector General may by general or special order, authorise any Police Officer to interview with any detenu.

12. Correspondence and censorship.—(1) Detenus of Division I and shall ordinarily be permitted to write respectively four and two letters each and receive as many as they like every month.

4 ] Raj. Conditions of Detention (Foreigners Act), Order, 1966

(2) No detenu shall write a letter to any other detenu and not more than one letter shall be enclosed in one envelope except with the special permission of the Superintendent. All correspondence to and from a detenu shall be confined to purely domestic matters or subjects relating to the welfare of the detenu and his near relatives. Letters containing references to any matters other than those of domestic or of the welfare of the detenu or relatives shall be withheld as laid down in subclause (4) below;

(3) No letters, news papers or other communications shall be transmitted to or from a detenu except through the Superintendent or such Officer as the Government may by general or special order, designate in this behalf.

(4) All letters to and from detenus shall be pernse minutely by the Superintendent and subject to any general or special order of the Government shall be submitted by the Superintendent direct to the Inspector General of Police, Rajasthan, who may at his own discretion withhold them

(5) Detenus shall be allowed to read books from the Jail library. They shall be allowed to get books from outside at their own expense provided the books are of a non-political character and approved by the senior police officer of the district concerned. Detenus may be permitted to buy such newspapers, periodicals and magazines as may be approved by the Government.

(6) Where in the opinion of the Superintendent:—

- (a) any newspaper or periodical contains any matter prejudicial to the efficient conduct of military operations, the defence of India and civil defence or the public safety or interest, or
- (b) any communication made to or intended to be delivered to, a detenu contains any matter which is objectionable from the point of view of maintenance of Jail discipline.

he shall delete the same or mark it for deletion while forwarding to the proper authority.

(7) All letters to and from a detenu shall be initialled and dated by the officer who handles the same.

(8) The detenu shall attach to all outgoing correspondence a slip containing the full name, address and relationship, if any of the addressee and of each person mentioned in the letters. This slip shall be sent to the Inspector General or other officer designated by the Government in this behalf, who if he considers that the writer should not be allowed to correspond with the addressee, shall inform the Superintendent accordingly for his further guidance.

13. Writing material —All detenus shall be supplied writing material at their own expenses, provided that the supply of paper shall be subject to the following conditions:—

(1) It shall be supplied in small quantities at a time and shall before delivery to the detenu be numbered and Jail stamp affixed to it; and

(2) An additional lot shall be supplied unless the paper already supplied or is found to have been properly used.

**14. Offences and punishments.—(1)** A detenu:—

- (i) shall reside in the accommodation allotted to him by the Superintendent,
- (ii) shall not proceed beyond the limit of the Jail save with the permission of the Superintendent given by general or special order in this behalf,
- (iii) shall obey the orders of the Superintendent issued from time to time for the comfort, safety and health, or for his discipline, orderly conduct and control of detenus,
- (iv) shall attend roll call and answer to his name in person at such time and place within the Jail as may be appointed by the Superintendent,
- (v) shall conform to the standards of cleanliness and dress laid down by the Superintendent,
- (vi) shall not have in his possession any coin, currency note or negotiable instrument, any weapon, stick, razor, other than a safety razor, piece of iron or any other article which may be used as a weapon,
- (vii) shall not exchange or sell any of his kit, equipment, clothes, furniture or other possession, and
- (viii) shall not refuse to take prescribed diet.

(2) Any detenu contravenes any of the provisions of sub-clause (1) or refuses to obey any order issued thereunder or does any of the following acts, namely:—

- (i) assaults, insults, threatens or obstructs any prisoner, or any officer of the Jail or any other Government servant or any person employed in or visiting the Jail, or
- (ii) quarrels with any person in the Jail, or
- (iii) is guilty of indecent, immoral or disorderly conduct, or
- (iv) communicates or attempts to communicate with any person outside the Jail in any unauthorised manner, or
- (v) bribes or attempts to bribe any Government servant or any person employed in or visiting the Jail, or
- (vi) commits any nuisance or wilfully defouls any well, latrine, washing, or bathing places, or
- (vii) disobeys the orders of, or shows disrepect to any officer of the Jail, or
- (viii) wilfully damages any property belonging to the Government or tampers with locks, lamps, or lights in the Jail, or
- (ix) receives, possesses or transfers any articles in contravention of an order of the Superintendent, or
- (x) feigns illness, or

- (xi) wilfully brings a false accusation against any officer of the Jail or prisoner or detenu, or
- (xii) omits or refuses, as soon as it comes to his knowledge the occurrence of any escape, attempt or preparation to escape and any attack or preparation for attack upon any officer of the Jail, or
- (xiii) abets the commission by a prisoner or detenu of any of the foregoing acts, or ; .
- (xiv) omits or refuses to help any officer, of the Jail in the case of an attempted escape on the part of any of the prisoner or detenu, shall be deemed to have committed a Jail offence.

(3) (a) Where upon such enquiry as he thinks fit to make, the Superintendent is satisfied that a detenu is guilty of a Jail offence, he may award the detenu one or more of the following punishments:—

- (i) confinement in a cell for a period not exceeding fourteen days;
- (ii) reduction or alteration of diet for a period not exceeding fourteen days.
- (iii) cancellation or reduction for a period not exceeding two months of the concession of receiving funds from outside;
- (iv) cancellation or reduction for a period not exceeding two months of privileges of writing and receiving letters;
- (v) cancellation or reduction, for a period not exceeding two months, of the privileges of having interviews;
- (vi) cancellation of the privilege of wearing his own clothes.

(b) If any detenu is guilty of a Jail offence which, by reason of having frequently been committed or otherwise, is in the opinion of the Superintendent not adequately punishable by him under the provisions of sub-clause 3 (a) he may forward such detenu to the Court of a Magistrate of the first class having jurisdiction, and such Magistrate shall thereupon inquire into and try the charges so brought against the detenu and upon conviction shall sentence him to imprisonment for a term not exceeding one year:

Provided that where the act constituting the offence constitutes an offence punishable under Indian Penal Code with imprisonment for a term exceeding one year, nothing in this clause shall preclude the detenu from being tried and sentenced for such offence in accordance with the provisions of the Indian Penal Code.

(4) The Superintendent may use or require to be used such force as may in his opinion be necessary to compell obedience on the part of any detenu to any lawful order by him.

15.—Retention of watches.—The detenus shall be allowed to keep their watches with them in the Jail but no responsibility for their safety will be taken by the Government.

16. Recreation.—The detenu shall be allowed to play volleyball and badminton if there is room in the Jail for this and the number of detenu warrants.

They shall be allowed to play indoor games like chess and playing cards at their own expenses.

17. Smoking.—The detenus shall be allowed to smoke cigarettes and biris at their own expenses.

18. Non Official visitors.—Non-Official visitors appointed by the Government may visit the detenu. But, the treatment meted out to them in the Jails will not be subject to inspection by any international organisation like the International Red Cross.

19. Application or representation.—(1) The Superintendent shall forward through the Inspector General of Prisons, Rajasthan with such observations as he may think fit, any representation which a detenu may submit to the Government.

(2) The Superintendent shall forward to the Government without delay any petition which a detenu may address to it:

Provided that when the application or representation is addressed to a court, it will be forwarded to that court by the Superintendent direct.

20. Transfer of detenus to civil hospital in emergent cases.—(1) In cases where it is necessary to remove a detenu to a civil hospital outside the Jail for operative or other special treatment which cannot conveniently be given in the Jail itself, orders of the Government shall be obtained. In emergent cases the Superintendent is authorised to anticipate the sanction of the Government but he should make an immediate report of all cases in which he avails himself of the authority. The Superintendent should request the Inspector General to make arrangements for guarding such detenus during their stay in the hospital. For the purpose of Jail discipline, the Superintendent should depute Jail official to see that the provisions of the order are properly observed.

(2) In respect of a detenu detained in a hospital under sub-clause (1) the preceding provisions of the order shall apply, as far as may be

(a) all references to the Jail were references to the hospital, or

(b) all references to the Superintendent were references to the Principal Medical Officer or the Medical Officer-in-charge of the Hospital as the case may be.

21. Miscellaneous.—(1) All particulars relating to a detenu shall be entered (without serial number) in the register of civil prisoners and all statistics of detenu shall be shown separately in Jail returns.

(2) A copy of the Order shall be shown to the detenus on their arrival in a Jail.

(3) Such other local instructions as may be necessary for the guidance of Jail officers may be issued by the Inspector General in consultation with the Government.

22. Detention.—A detenu who is transferred from the State of Rajasthan to any other State shall be detained in the Jail of that State and shall be governed by the Rules for the time being in force in that State to which he is transferred.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 28-4-66—Page 58 (10)]

Home 'F' Department

ORDER

Jaipur, September 17, 1966

No. F. 12 (1) HF/66-P.II—In exercise of the powers conferred by sub-section (1) of section 4 of the Foreigners Act, 1946 (Central Act 31 of 1946) read with Government of India, Ministry of Home Affairs, Notification No. F. 1/45/63—Intt. dated the 31st December, 1964, the Government of Rajasthan hereby makes the following order to amend the Rajasthan Conditions of Detention (Foreigners Act) Order, 1966, namely:—

1(i) This order may be called the Rajasthan Conditions of Detention (Foreigners Act) (1st amendment) Order, 1966.

(ii) It shall come into force at once.

2. In the Rajasthan Conditions of Detention (Foreigners Act) Order 1966, to sub-clause (1) of clause 6, the following proviso shall be added, namely:—

"Provided that Pakistani nationals who were arrested and detained and are classified Division II detenus, will be provided with a charpai and may also be allowed to sleep in the open outside the barracks by the Superintendent of Jail in which they are lodged, wherever it is administratively possible to do so."

[Pub. in Raj. Gaz. 4 (Ga) Dt. 6-4-67 Page 1 ]

*Notifications under*

**FOREIGNERS ACT, 1946.**

*Published in Raj. Ratna part IV (c) dated February 19, 1959 at page 1441*

**Home Department 'F'**

**NOTIFICATION**

**Jaipur, January 27, 1959.**

No. F. 3 (4) HF/58.—In exercise of the powers conferred by section 12 of the Foreigners Act, 1946 (Act No. 31 of 1946), and entrusted to it by the Government of India, Ministry of Home Affairs Notification No. 4/3/56 (i)-F. I, dated the 19th April, 1958, the Government of Rajasthan hereby authorises the Inspector General of Police, Rajasthan, the District Superintendents of Police and Police Zone Officers to make orders of the nature specified in clauses (c), (cc), (d), (e) and (f) of sub-section (2) of section 3 of the said Act.

By Order of the Governor,  
O. S. GUPTA,  
Secretary to the Government.

*Notifications under*

**FOREIGNERS ACT, 1946**

*Published in Rajasthan Raj-patra part IV (c) dated May 18, 1961 at page 84*

Home (F) Department

**NOTIFICATION**

*Jaipur, April 3, 1961.*

No. F. 3 (4) HF/58.—In exercise of the powers conferred by section 12 of the Foreigners Act, (Central Act No 31 of 1946) and all other powers in that behalf, the State Government hereby directs that the Department notification of even number dated 27th January, 1959 published in the Rajasthan Gazette Part IV, dated 19th February, 1959 at page 1441, is hereby cancelled.

By Order of the Governor,

Z. S. JHALA,

Secretary to the Government.

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*Rules and Notifications under*

FOREST ACT, 1953. THE RAJASTHAN (13 of 1953)

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# RAJASTHAN FOREST (Settlement) RULES, 1958

## NOTIFICATION

*Jaipur, August 14, 1958*

No.F. 23 (135) Rev. A/58.—In exercise of the powers conferred by section 26A and 76 of the Rajasthan Forest Act, 1953 (Rajasthan Act No. XIII of 1953) the State Government hereby makes the following rules, namely:—

## PART I. PRELIMINARY.

### *Commentary*

Section 26 A of the Rajasthan Forest Act, 1953 as amended by Rajasthan Act No. XXII of 1956 authorises the State Government to make rules for regulating the following matters in respect of Reserved Forests, namely:—

- (a) the making of fresh clearings for cultivation or for any other purpose;
- (b) the continuance of the practice of shifting cultivation;
- (c) the grazing of cattle or the carrying of forest produce, by persons whose claim to the right of pasture or right to forest produce or right of way or water-course is admitted under section 12;
- (d) the kindling, keeping or carrying of fire;
- (e) the felling, uprooting, tapping, girdling, sawing, conversion and removal of trees and timber and the collection, manufacture and removal of forest produce, from such forests;
- (f) the examination of forest produce passing out of such forests;
- (g) the protection from fire of timber, charcoal or other produce lying in such forests and of trees;
- (h) the cutting of grass and pasturing of cattle in such forests;
- (i) hunting, shooting, fishing, poisoning water and setting traps or snares in such forests;
- (j) generally for carrying out the purposes of the Act.

Section 76 of the Act confers the Government with additional powers to make rules:—

- (a) to prescribe and limit the powers and duties of any Forest Officer under this Act;
- (b) to regulate the rewards to be paid to officers and informers out of the proceeds of fines and confiscation under this Act;
- (c) for the preservation, reproduction and disposal of trees and timber belonging to Government, but grown on lands belonging to or in the occupation of private person; and
- (d) generally to carry out the provisions of this Act.

The State Government have framed these rules in exercise of the powers given under these two sections of the Act. The contravention of these rules has been made punishable under section 26 A (ii) and sec. 77 of the Act. The rules so framed have the force of law by virtue of section 78 of the Act.

*1. Short title and repeal.—*

- (1) These rules may be called the Rajasthan Forest (Settlement) Rules, 1958.
- (2) All rules corresponding to or covered by those rules shall stand repealed.

*2. Definition.—*In these rules, unless the context requires otherwise;

- (1) "Act" means the Rajasthan Forest Act, 1953;
- (2) "Form" means a form appended to these rules, and
- (3) "Forest Settlement Officer" includes an Assistant Forest Settlement Officer.

*3. Control of the Chief Conservator over forest settlement.—*

Forest Settlement is concerned with the constitution of Government Forest and waste lands into Reserve Forest, Village Forest and Protected Forest in accordance with the procedure laid down in Chapters II, III and IV of the Act. The administrative control over Forest settlement will vest in the Chief Conservator of Forests of the State.

The preliminary demarcation of forest boundaries will be carried out under his supervision.

*Commentary*

The Rajasthan Forest Act provides for three kinds of forests viz., Reserved Forests, village Forests and Protected Forests. The procedure for settlement of these forests with a view to define the area, the rights and the ancillary matters is contained in Chapter II, III and IV of the Act. The rule 3 gives the administrative control for these matters to the chief conservator of the Forests of the State.

*4. Appointment of F.S.Os. and A.F.S.Os. and their jurisdiction.—*

- (i) For the purpose of Forest Settlement the Government, may appoint as many F.S.Os. and A.F.S.Os. as it may deem necessary. These officers shall ordinarily be persons not holding any forest office except that of F.S.O. and A.F.S.O. and will be drawn from the State Civil Services.
- (ii) The jurisdiction of F.S.Os. and A.F.S.Os. will be decided by the Government on the recommendation of the Chief Conservator of Forests.

All Assistant Forest Settlement Officers shall have the powers of the Forest Settlement Officer under the Act.

*Commentary*

The power of appointing an officer called the Forest settlement Officer vested in the Government vide section 4 of the Act whereby the Government had required to issue a notification for the same.

**PART II**

**DEMARCATION & SURVEY**

*5. Proposals for action under section 4 of the Act and form of Notification.—*

- (i) Before proposals for declaring certain areas as Reserved, Village or Protected Forests under sections 4, 28, 29 and 30 of the Act are submitted to Government, it will be the primary duty of the territorial Conservators to consult the Divisional Revenue Commissioners and the Collectors concerned with regard to advisability of taking such areas under the Forest Department management.

- (ii) Notification under section 4 shall be in the Form 'A'.

*Commentary*

Section 4 of the Act requires, the issue of a notification in the Rajasthan Gazette whenever it had been decided to constitute any land a reserved forest. A similar notification is necessary whenever formation of village Forest is necessary under Sec. 28 of the Act. Sections 29 and 30 of the Act provide for the issue of a notification whenever any forest land or waste land, not included in the Reserved Forest, is declared as Protected Forest.

The Rules make it incumbent on the territorial conservators of Forest to Consult the Divisional Revenue Commissioners and collectors before proposals for action under section, 4, 28, 29, and 30 are submitted to the Government.

#### 6. *Preliminary Demarcations.—*

- (i) After a notification under section 4 or 29 is issued the area should be demarcated by cutting a boundary line and fixing temporary cairns or pillars or such other marks as may be convenient. Such cairns, pillars or any other marks should be visible from one to the other.
- (ii) The preliminary demarcation need not necessarily be of so permanent a character as the final demarcation, but it should be a definite and continuous line sufficient to show to the Forest Settlement Officer and the villagers concerned where and how it runs. The width of the boundary line should be at least ten feet.
- (iii) The Forest Boundary pillars will mark the actual limits of the reserve and should be placed on the outer edge of the cleared boundary line. Boundary pillars should preferably be stone monoliths 5"×5" cross-section. Where stone monoliths can not be obtained, the boundary pillars must be of *pucca* stone masonry.
- (iv) The demarcation of forests will be carried out by the Forest Department under the supervision of an official not below the rank of a Dy. Ranger by cutting a boundary line and raising cairns. These will be maintained properly till the preliminary inquiry is complete and the cairns are replaced by monoliths. The fixing of monoliths will be done under the strict supervision of the Forest Settlement Officer. He will obtain a receipt of the boundary marks so finally approved and then it will be duty of the Forest Department to look after and maintain them properly.

The following specifications are prescribed :—

(a) *Outer Boundary Pillars*—

*Stone Monoliths*.—The over all length should be  $3\frac{1}{2}$  ft. to 4 ft. in length, 18" should be underground and 2'-2 $\frac{1}{2}$ ' above-ground. The cross-section should be 5"×5" or 5"×6". They should be serially numbered. The numbers should preferably be engraved and painted over with black Japan on a white enamel paint background. The top 9" will be painted with red enamel. The next 9" will be painted with white enamel paint.

The faces on which the numbers are engraved or stenciled will be 2" below the top and will be 4" broad and 3" longs. The length of the numbers engraved or stenciled will be 2" and before they are engraved or stenciled the faces should be dressed smooth. On the top of the pillars the letters 'F.D.' should be written, preferably engraved. The length of letters engraved should be 2 $\frac{1}{2}$ ". The faces will be painted with white enamel numbers and letters engraved will be painted over with black Japan.

In fixing the pillars it should be seen that the letters 'F.D.' face the outer boundary. Each pillar will be painted with red and white paint.

(b) *Inner Boundary Pillars*.—The overall length should be 3', 18" being underground. The cross-section should be 2"×5". They should be serially numbered, the numbers being preferably engraved and the figures painted over with black Japan on a white enamel paint background.

*Outer Boundary Pillars (masonry)*.—The over all height above ground should be 2'-9". The top 9" of the pillar should be a pyramid. The sides should be 18" square with a stone engraved number plate, painted over with black Japan on a white enamel background. The pillar must be white.

*Inner Boundary Pillars (masonry)*.—The overall height aboveground should be 1'-9". The top should be a Pyramid. The cross-section aboveground should be 12" square. The serial number plate should be of the same type as the outer boundary pillars. The pillars must be clearly visible from the one to the other.

All pillars should bear a number. The numbering of the pillars should be clockwise.

When a stream or ravine is selected as a boundary, the outer bank should as a rule be taken as the boundary.

7. *Records to be prepared*.—(a) The following records will be prepared for every block :—

- (i) Villagewise khasra of the block as given in form 'B'.
- (ii) A general statement as given in form 'C'.

(iii) A list of ways and paths open to public, throughout the year *vide* form 'D'.

(iv) A list of temples open to public for worship *vide* form 'E'.

(v) A list of Fruit Trees belonging to private persons *vide* form 'F'.

(vi) A list of villages situated in the forest block *vide* form 'G'.

(b) All these papers will be signed by the Forest Settlement Officer. The Forest Settlement Officer who will finalise the inquiry and in case of Reserved Forest blocks submit a draft for final notification as required under section 20 of the Act. The summary report will be drawn in the form 'T'.

(c) After publication of the Final Notification in the Official Gazette, the Forest Settlement Officer will arrange to send a copy of the village map along with a list of *khasra* numbers included in the Reserved or Protected Forests and the statement of rights and concessions admitted therein to the Divisional Forest Officer and the Collector for making necessary entries in the Revenue Records.

On the expiry of a period of one year from the date of final notification, the records will be deposited with the Collector concerned.

(d) The final notification shall be in the form 'J'.

#### *Commentary*

Section 20 of the Act provides that the Government shall publish the notification in the Rajasthan Gazette specifying definitely, according to boundary marks erected or otherwise, the limits of the forest which is to be reserved and declaring the same to be reserved from a date fixed by the notification. This final notification is to be issued after the finalisation of the inquiry regarding claims and rights of the individuals.

### CASE WORK

8. (a) *Files.*—There will be a general file for every block and separate file for each village and for claims filed by persons in individual capacity.

*General Block File will contain the following papers.—*

(i) The title page.

(ii) Order sheet.

(iii) A copy of the Government Notification under section 4 or 29 of the Rajasthan Forest Act.

(iv) The boundary description prepared.

(v) The letter of authority from the Divisional Forest Office.

(vi) A copy of the Proclamation under section 6.

(vii) A consolidated sketch map of the block.

(viii) A consolidated village wise *khasra* of Block.

(ix) A list of ways and paths opened to the public.

(x) A list of temples.

- (xi) A list of Fruit trees belonging to private persons.
- (xii) A list of villages situated in the block.
- (xiii) A list of boundary pillars.
- (xiv) Acknowledgement from the Range Officer that alterations made in the preliminary boundary has been explained to him.
- (xv) A summary of proceedings giving the *gist* of claims preferred and admitted and rejected.
- (xvi) A copy of the Draft Final Notification along with Boundary Description and Schedule of concessions and rights admitted

*The village file will contain the following papers.--*

- (i) Title page.
- (ii) Copy of proclamation duly served.
- (iii) Plaintiff or claim preferred in writing or orally.
- (iv) Written statement or reply of the Forest Department.
- (v) Evidence adduced.
- (vi) Order sheet and decision.
- (vii) A Tracing of the Revenue Map of the village showing the Forest boundary line.
- (viii) Miscellaneous papers.

(b) *Registers.*—Two separate Registers 'A' and 'B' will be maintained in the prescribed form as shown in the form 'H'.

#### 9. *Procedure for Drafting Final Notifications under section 20 of the Act —*

(a) When all the claims preferred by the villagers have been enquired into and decided and the limitation period prescribed under section 17 of the Act is over, the Forest Settlement Officer will take up the Draft of the Final Notification under section 20 of the Act which will be drawn separately—

- (1) Where no claims ( neither rights nor concessions ) have been admitted.
- (2) Where claims ( rights ) have been admitted.
- (3) Where concessions only have been admitted.
- (4) Where both rights and concessions have been admitted.

(b) These draft will be accompanied by the abstract lists of rights and concession as per *proforma* attached to the Form 'J'

(c) The boundary description should be given in one of the following two forms.

*Description form.*— From pillar No. 1 situated on a spur by straight line from pillar to pillar No. 38 on the bank of a *nala*. Thence along the western sides of the *nala* to pillar No. 39 on a ridge etc., back to pillar No. 1

*Tabular form.—*

Pillar No. 1 to Pillar No. 2 .... 10 Chains 70 links in westward or north easterly direction.

Pillar No. 2 to Pillar No. 3 .... -do-

**NOTE :—**If lengths are measured in chains and links the length of the chain and the link must be specified in feet or metre. Chains means a chain of 66'165' length. The measurement of length indicates measurement along the surface of the ground.

*Commentary*

The inquiry regarding claims of individuals is to be conducted in accordance with the procedure prescribed in Chapter II of the Act. The orders passed after inquiry are appealable within 3 months from the date of the order. It is only after the expiry of the limitation period prescribed under section 17 of the Act, that the final notification under section 20 of the Act can be taken up. The rule prescribes the particulars necessary for this final notification.

### PART III SURVEY.

10. The demarcation of Forest Boundaries will be surveyed on *patwar* maps. As far as possible old system of surveying boundary lines by plane tables will not be re-started. Only where the boundary lines can not easily be identified on *patwari* village maps, such survey may be carried out. For this purpose the Forest Settlement Officer will arrange to get the traces of the latest settlement of the village adjoining Forest Blocks on Tracing cloth from the original survey sheets and proceed with the work by taking compact ranges. The target of survey is fixed with 25 sq. miles per *Ameen* for the field season.

The *Ameen* will first proceed to the village in North West of the Forest Block and start work with the help of neighbouring '*Mushtikil*' points viz., wells, boundary pillars, *Mushtikil Maths* and survey the former Boundary by preparing the field book. He will plot the day's work every day and the Inspector in his weekly inspection will check the work on the traces. The details of the boundary line with regard to the checking will be recorded in the Inspection Book. The *patwari*, Village *mukhia* and the Forest Guard will also remain with the *Ameen*. The Inspector will not ink the line of dispute. He will inform the Assistant Forest Settlement Officer of the circle who will visit the spot and give his opinion to the Forest Settlement Officer. On receipt of final order the disputed line will be inked. The *pukhta* work will be done during the office season.

After completion of the survey operation the *Ameen* will prepare the Sarhadi Register of the block as per Form 'K' which will also be checked by the Inspector, the Assistant Forest Settlement Officer and the Forest Settlement Officer at the time of their respective inspections of the block.

## PART IV

### INVESTIGATION OF CLAIMS

#### DATA TO BE COLLECTED BY FOREST SETTLEMENT OFFICER.

11. (a) After publication of a notification under section 4 of the Act, the Forest Settlement Officer will collect the following information with the assistance of the Divisional Forest Officer—

- (a) Sketch map of the block illustrating 'the demarcation line;
- (b) A description of the boundary.

(b) *Proclamation by Forest Settlement Officer.*—The first step to be taken by the Forest Settlement Officer is the publication of a proclamation under section 6 of the Act as given in form "L" specifying the situation and limits of the proposed Reserve as published in the Official Gazette, explaining the consequences which will ensue on the reservation of the forest and requiring all persons claiming any right in or over such forests, to specify within the prescribed period, either in writing or verbally the nature of such rights and the amount and the particulars of the compensation (if any) claimed in respect thereof. A period of at least three months from the date of publication of the proclamation must be allowed for the presentation of claims and the proclamation must be published in Hindi and posted in every town and village in the vicinity of the proposed reserve and it will also be done by beat of drum or in any other manner convenient. Copies of the proclamation should be sent to the Divisional Forest Officer, Tehsildar and the headman of the village adjoining the block and copies of the acknowledgement of the receipt of such proclamation will be placed in the village file. The Forest Settlement Officer should, moreover, not only publish and distribute the proclamation as above, but should explain its meaning at every convenient opportunity to the villagers concerned.

#### *Commentary*

Section 6 of the Act requiring this proclamation reads as under :—

When a notification has been issued under section 4, the Forest Settlement Officer shall publish in Hindi in writing as well as by beat of drum in every town and village in the neighbourhood of the land comprised therein, a proclamation—

- (a) specifying, as nearly as possible, the situation and limits of the proposed forest;
- (b) explaining the consequences which, as hereinafter provided, will ensue on the reservation of such forest; and
- (c) fixing a period of not less than three months from the date of such proclamation, and requiring every person claiming any right mentioned in section 4 or section 5 within such period either to present to the Forest Settlement Officer a written notice specifying, or to appear before him and state, the nature of such right and the amount and particulars of the compensation (if any) claimed in respect thereof.

(c) *Inquiry by the Forest Settlement Officer.*—(1) As soon as practicable after the issue of proclamation, the Forest Settlement

Officer should visit the villages in the neighbourhood of the proposed Reserve. He should inspect as much as possible of it and afford the people likely to be affected by the proposed reservation, full opportunity for putting forward their claims on the spot.

(2) The Forest Settlement Officer is bound by law to take down in writing all statements of the claims made under section 6 of the Act and to enquire into the same; and even in the case of practices not actually brought to his notice, under section 6, it will be his duty to ascertain all that may be ascertainable on the subject from the records of the Government and the evidence of the persons likely to be acquainted with the same and to deal with such practices as if the claims thereto had been formerly preferred under section 6. The inquiry should consequently not be confined to merely recording evidence produced by claimants or by the Forest Officer. The Forest Settlement Officer should himself call for and examine any person whom he may think likely to have knowledge of the facts. The Forest Settlement Officer is responsible for seeing that every claim which he admits is absolutely clear and definite.

(3) Under section 8, the Forest Settlement Officer has the power of a civil court in the trial of suits for which he can summon witnesses and require the production of documents, etc. It is his duty to ascertain the facts and he is bound to enquire, not only into claims put forward but also into the existence of any right or practice, though no formal claim may have been presented under section 6 of the Act. In short, it is the business of the Forest Settlement Officer to ascertain, by full and careful inquiry, the actual state of things, the manner in which the reservation, if carried out, will affect the people in the neighbourhood, the rights to which they are already legally entitled, and the concessions which it is desirable for the Government to extend to them in future. It must be here, however clearly understood that as Forest Settlement Officer framing a record of legally established rights, he has no power to confer by entry in the record any rights which have not been satisfactorily established as existent merely because he thinks it expedient to grant them. But, on the other hand, he is bound to express fully, in reporting his operations to the Government his opinion and advice as to any practices which, though not satisfactorily proved to be existing rights, he may think it advisable to sanction as of rights or as merely terminable concessions in the interests of the people. The record of the Forest Settlement Officer must thus deal with legally established rights only. He must leave it to the Government to decide later on what additional burdens, in the shape of non-established rights or mere terminable concessions, it is desirable to impose on the forest in the interest of the people.

(4) When claimants appear in person and make verbal statements of their claims the Forest Settlement Officer shall record the

substance of the statements. Written statements must be stamped in accordance with the Court Fees Act.

(5) Copies of evidence of documents filed and on the decisions recorded by the Forest Settlement Officer may be granted to claimants under the rules. Such copies must be stamped under the Court Fees Act.

(6) Claims on behalf of a family may be presented by any member of that family; on behalf of a tribe or community by any member of the tribe or community; on behalf of joint claimants by any one of the joint claimants and on behalf of a village by the Headman of the village. Otherwise all claimants must arrange to represent themselves.

(7) The Forest Settlement Officer may, at any time, join any number of claims, provided they all relate to the same proposed reserve, in order to hold a common inquiry, or he may serve any claims joint or jointly made in order to hold separate inquiries at his discretion. It shall not be necessary to take a second time evidence already recorded in an inquiry relating to another claim. But if, in deciding upon the claim of any person, the Forest Settlement Officer shall admit previously recorded evidence or shall recite a previous decision in disposing of a case, the person whose claim is thus treated shall be entitled to obtain a copy of such previous evidence, documents or decision, as if it had been recorded during the inquiry into his own claim.

(8) Claimants may employ a legal practitioner or other person to appear on their behalf. In such case the Forest Settlement Officer will require the production of the usual stamped authority.

(9) The Forest Settlement Officer shall examine claimants and witnesses upon oath or solemn affirmation. Process fees according to the scale laid down for courts of Assistant Collectors of the 1st class shall be required from claimants (but not from the Forest Officer attending the inquiry) if application is made to compel the attendance of witnesses or the production of documents.

(10) The Forest Officer attending the inquiry shall have powers similar to those of a defendant in a civil suit. He may cross-examine witnesses, may produce evidence to rebut claims, and may comment on any documents or evidence, and no court fees shall be required of him. If he desires to prefer an appeal against any decision, the Forest Settlement Officer shall give him duly certified copy of such decision and will meet the cost from the contingencies of the Forest Settlement Grant.

(11) The Forest Settlement Officer shall give reasonable notice to the Divisional Forest Officer of the dates fixed by him for inquiry into claims. If the Divisional Forest Officer is himself unable to attend on those occasions or to depute a suitable representative in his place, he may forward to the Forest Settlement Officer any statement he may wish to make in writing with any documents

he may wish to put in. He may in such cases, if he so desires depute a subordinate to explain if necessary, the statement submitted by him. The Forest Settlement Officer shall as far as may be convenient meet the wishes of the Forest Department by adjourning inquiries to give time to consult the Conservator, Collector or Commissioner.

(12) The views of the Collector or Commissioner in cases regarding land (the claims to which are being investigated under section 11 of the Act) or of the Conservator on any question which may arise, should be placed before the Forest Settlement Officer by the Divisional Forest Officer in the form of a written note. Such written note shall be read aloud and shall form part of the record and shall be explained to the claimant in their vernacular language if they do not understand English.

(13) The Forest Settlement Officer shall keep a diary of his proceedings from day to day, which should be clearly written up and should be initialled by himself.

(14) (a) The claims on which the Forest Settlement Officer will have to adjudicate will usually be of two classes:—

(i) claims to land.

(ii) claims to rights of the nature of easements, specified in section 12 of the Act.

(b) He will record the evidence, and decide on the claim in each case in the manner prescribed by the Code of Civil Procedure for adoption in appealable cases. He will also maintain two registers (A & B) as prescribed in form 'H' and will enter in the former all claims as they are received and in the latter all claims as they are disposed of Register 'B' (or a fair signed copy thereof) must, upon the completion of the operations be forwarded to the Government through the Chief Conservator of Forests, Conservator of Forests, Planning and Demarcation and the Territorial Conservators, with the draft notification under section 20 of the Act together with (1) an abstract statement of admitted claims (for publication in the Gazette) in the Form 'J' (or such corresponding form as the special conditions of the case will admit), (2) A summary report of the Forest Settlement Officer's proceedings, which should contain his recommendations, if any, for sanctioning, as of privilege, the continuance of practices which although not claimable as of right and consequently not entered in the abstract as admitted rights, are in the opinion of the Forest Settlement Officer advisable in the interest of the welfare of the people (such concessions should be indicated by the letter 'C' in the abstract); (3) The boundary map or tracing of the proposed reserve with a detailed description of the same showing in a clear and unmistakable manner the boundaries of the reserve as ultimately adopted by him and specified in his final draft notification under section 30 of the Act.

(c) When a claim comes partly under section 11 and partly under section 12 of the Act, the Forest Settlement will separate those parts of it which fall under section 11 from those which fall under section 12 and will enter them in his register as distinct claims.

(d) In cases in which appeals are preferred against his decisions the Forest Settlement Officer will obtain copies of the appellate decisions, which should form part of the settlement record. A brief abstract of each appellate judgement should also be prepared and entered in the appropriate column of register 'B' reference being made in the 'remarks' column to the number and date of such judgement.

(15) When the Forest Settlement Officer has admitted a claim, the Forest Officer attending the inquiry or failing such, the Divisional Forest Officer will state which among the courses provided in section 10 (1), 11, 15 and 16 of the Act it is desirable to follow, and may apply for an adjournment to enable him to take advice of superior authority before doing so. The Forest Settlement Officer will hear the claimant whose claim has been admitted before deciding what action he will take in the matter.

(16) The grant under sections 10 (1), 11, 15 and 16 of the Act, by the Forest Settlement Officer of unreserved land or of rights over such land in exchange for land or in commutation of rights admitted in a reserved forest, require the Commissioner's approval. The grant of reserved forests or rights over it requires the sanction of the local Government.

(17) When the Forest Settlement Officer acts under section 16 and commutes a right of pasture or of forest produce by a grant of money or land such commutation shall ordinarily be calculated as follows:—

- (a) If in money, at 20 years' purchase of the annual value of the right as ascertained by the Forest Settlement Officer.
- (b) If paid for in land, the assessment of the land should be equal to the annual value of the commuted right as estimated by the Forest Settlement Officer.

#### *Commentary*

The rule 11 (c) gives detailed procedure which is to be followed in inquiries by Forest Settlement Officers. Section 7 of the Act providing for such inquiries reads as under:—

The Forest Settlement Officer shall take down in writing all statements made under section 6, and shall at some convenient place inquire into all claims duly preferred under that section, and the existence of any rights mentioned in section 4, or section 5 and not claimed under section 6 so far as the same may be ascertainable from the records of Government and the evidence of any person likely to be acquainted with the same.

Section 8 of the Act confers the Forest Settlement Officer with the following powers for the purpose of such inquiry:—

- (a) power to enter, by himself or any officer authorised by him for the purpose upon any land, and to survey, demarcate and make a map of the same; and
- (b) the powers of a Civil Court in the trial of suits.

Forest Settlement Officer is required to inquire and decide claims regarding land, rights of the nature of easements, and practice of shifting cultivation. The principles which a Forest Settlement Officer is required to keep in view while making such inquiry are also enumerated in this rule.

## PART V

### DETERMINATION OF RIGHTS AND CONCESSIONS

#### *Commentary*

This part of the rules contain principles and instructions for the determination of rights and concessions recognised under the Act. Section 5 read with sections 6 and 9 provide for a claim regarding the whole land itself or one or more plots of land within the proposed forests. Section 10 of the Act, prescribes the procedure regarding the treatment of claims relating to practice of shifting cultivation. Section 11 read with section 12 of the Act, contains provision for claims regarding rights in the nature of easement or otherwise which involves taking some produce or part of the estate. Sections 11 and 12 of the Act are reproduced below for the purposes of this part.

(1) In the case of a claim to a right in or over any land other than the following rights:

- (a) a right of way;
- (b) a right to water-course, or to use of water;
- (c) a right of pasture; or
- (d) a right to forest produce;

the Forest Settlement Officer shall pass an order admitting or rejecting the same in whole or in part.

(2) If such claim is admitted in whole or in part, the Forest Settlement Officer shall either—

- (i) exclude such land from the limits of the proposed forest; or
- (ii) come to an agreement with the owner thereof for the surrender of his rights; or
- (iii) proceed to acquire such land in the manner provided by law for the time being in force relating to compulsory acquisition of land.

(3) For the purpose of so acquiring such land—

- (a) the Forest Settlement Officer shall be deemed to be a Collector proceeding under such law;
- (b) the claimant shall be deemed to be a person interested and appearing before him in pursuance of a notice given under that law;
- (c) the provisions of that law shall be deemed to have been complied with; and
- (d) the Collector with the consent of the claimant, or the Court with the consent of the both parties, may award compensation in land, and partly in land and partly in money.

In the case of a claim to rights of the kind specified in clauses (a), (b), (c), and (d) of section 11, the Forest Settlement Officer shall pass an order admitting or rejecting the same in whole or in part.

12. Rights are those claims which are supported by documentary evidence such as *-sanad*, *patta* or Government record. The rest will be treated as Concessions. Concessions are terminable as and when found necessary by the Government. While dealing with the claims made, it will be found that they will be one or other of the following kinds.

*A claim to whole land itself, or (more likely) one or more plots of land within the proposed forest.*—In such a case, the claim likely to be put forward is to the ownership of the land itself or some part of it. If the claim should affect the whole of the proposed forest or greater part of it, it would follow that the proposal to create forest estate under the Act could not be carried out; the proceedings would then be closed, on decision going in favour of the claimant, unless indeed it is some special case in which the Forest is on public ground, so desirable, that Government will be justified in declaring public utility and proceeding to acquire the estate under the Land Acquisition Act.

In such a case the Forest Settlement Officer will send his report to the Chief Conservator of Forests informing him that on the ground mentioned in his decision it is not possible to constitute a forest estate of the block.

Generally what happens is that one (or many plots) inside the forest block are either claimed under proprietary right or tenancy right or as *charagaha* earmarked for the village cattle. If the claim is allowed then either:

(1) it will be bought out by consent or acquired under the Land Acquisition Act, if the Divisional Forest Officer makes a move that it would be in the interest of Forest Conservation to do so, or

(2) will be exchanged for some other suitable piece of land. For this purpose concurrence of the Commissioner of the Division will be necessary, or

(3) exclude it from the forest boundary, if this can conveniently be done, or

(4) let alone in such a case the plot or plots which would be shown by interior lines both on the map as well as on the spot.

Sometimes, small plots are cleared and cultivation established without proper authority. If the case is shown to be one of unauthorised clearing or a case of squatting with no equitable title, the claim would be disallowed. It will however, sometimes happen that a plot has been cleared or appropriated without regular authority, but still circumstances are such as to justify some leniency; here probably the unauthorised holder who has been continuously in cultivating possession for more than three years on the date of inquiry his case should be treated as if it was a claim of tenancy right provided it does not interfere with the principles of Forest Conservation, otherwise a solatium may be granted.

*A claim to a right of the class which does not involve taking produce from the estate. e. g., a right of way.*—Cattle-drive, a right to have a water course (canal cut or drain channel) across the land, a right to have access to or use of water such as a spring for household purpose or cattle watering; or for worship at a temple and to hold *mela* within the forest limit.

As these are mostly, 'Necessary Rights' therefore, the record and description is all that is possible and needful.

In case of right of way, it should be specially recorded whether it is for a private person or a whole village or people at large. It will also be desirable to specify whether it is a way for passage of human beings; for driving cattle, or for taking cart along; and in such case it may be desirable to record the width of the way allowed.

In case of right to water course or drainage, particulars (in case of a canal or ditch) such as regards access for purpose of clearing, or deposit of the silt cleared out or the like; as well as the width of channel and its necessary margin or bank space should be recorded.

In case of right to use of water where a spring or pool in the forest is main place which neighbouring cattle can get water at, or at which household water can be obtained; should be recorded as a right of necessity. As far as possible, if such places are near the edge of the forest, they may be excluded from proposed forest by altering its boundary unless these are the only places where wild animals come to drink water which necessitates the inclusion of such spots in the forest boundary for the purpose of saving the wild life from destruction.

Claims of right of worship and right of holding *mela*, are of necessity and should be recognised as such. In case of right of holding *mela*, the dates and the places should be specified.

*A claim to practice of shifting cultivation.*—The procedure provided under section 10 is in detail and should be followed.

*A right in the nature of easement or otherwise which involves taking some produce or part of the estate.* e. g., to dig clay, lime stone, to cut turf or sods, to burn lime or charcoal, or boil catechu, to cut grass, to pasture cattle, to cut wood; and in fact, every class of the well-known forest rights or easements.

There may be the following form of taking forest produce:—

1. *Rights to wood*
  - (i) for building and cattle-shed.
  - (ii) For industry and agricultural purposes.
  - (iii) For fuel. (Brush wood, billet-wood dead wood, Torches).
  - (iv) For fencing.
- (i) *Wood for building and cattle shed.*—For this, reference has always to be made to the usual style of building in the locality and there is never any need to allow the best or costly woods for indoor or other work where an inferior timber will do as well. The quantity cannot always be prescribed but sometimes a periodical cutting of so many stumps (of certain size) can be defined. If the intervals at which wood can be demanded are to be fixed, it will be with reference to the number of years each kind of

building will ordinarily last. As far as possible, the extent be determined in consultation with the right-holder, and the Forest Officer of the area. The table given at Form 'P' may be useful as a rough guide.

- (ii) *For Industrial and Agricultural purposes.*—In Rajasthan, the right to wood for industrial purposes hardly exists. For agricultural purposes wood from forests is generally extracted either as a matter of right or as concession and in all such cases, it will be found that there are customary kinds and sizes of wood used for the particular purposes and can easily be prescribed to the satisfaction of all parties. The extent in terms of cubic feet of wood required for agricultural purposes, can be determined on the basis of number of ploughs with the help of a rough table given in Form 'P' showing the requirements per plough-holder.

A complete plough requires 1.5 to 2 cft. and so far other implements of agriculture are concerned, the list given in the Form 'P' may be taken as a rough guide. These concessions should not exceed the limit of 3 ploughs per family as prescribed in the G. O. No. F. 34 (44) Rev./53 dated 24-11-55.

- (iii) *For Fuel.*—Definition (beyond general instructions as to kind) is not easy, but it may be possible to specify the number of bundles or head loads to be taken per mensem. It would be possible to ascertain some limit because the right is for firing of a certain number of hearths, ovens, and cooking places belonging to the houses to be supplied. As however, it cannot be sold, the Right-holder rarely cares to take more than he really wants of the dead-wood and small stuff which is his habitual consumption.

The fuel is claimed either by the people of village situated near the edges of the forest or of small villages consisting of a couple or more hamlets deep in the forest. The former type have considerable area of land outside forest limits and can meet part of their fuel requirement from the areas not included in the forests. In such cases on an average of about 8 head-loads weighing 20 to 30 srs. each per month per house should suffice. On a broad scale half a seer per head per day of fuel may be admitted. While villages which are located deep in the forest extract roughly double the said quantity should be allowed because the fuel is easily available in abundance and also because they have no land other than forest from where to get fuel wood.

No green wood is to be cut for fuel but only dry wood in head loads may be allowed to be taken away free for bona fide domestic consumption. In rare cases such as where certain hill tribes e. g.,

*bhils* and *minas* etc., who have no other means of livelihood except the sale of firewood in head-loads in the neighbouring localities; it would be necessary to fix a limit to the number of head-loads that may be removed per mensem, which may be fixed at 15 to 20 head loads weighing 20 seers each per individual for all the year round except the rainy season.

(iv) *Fencing*.—Thorny-bushes and twigs, such as of 'Dhokra' and 'Dansren' are taken for fencing cattle sheds by cultivators.

Roughly 5 head-loads a year may be allowed for a cattle shed of an average size hold in 10 cattle heads. It is not easy to determine the requirements for fencing cultivation. At a rough calculation 1 cart load per bigha of holding may be permitted every alternate year.

#### 2. Rights of Pasture or Grazing

This right may be of two kinds.—(1) Right of the adjoining villages or local right holder and (2) those of migratory herds. The latter type of right is seldom existent in Rajasthan. Grazing facilities are allowed mainly for bulls, oxen, cows and buffaloes. There is no direct prohibition of the grazing of goats, sheep and camels, but since these are destructive to the forest, their numbers be restricted as far as possible. Mules, horses, donkeys are not common and they may be treated on the same footing as cows and buffaloes.

The maximum number and kind of cattle admitted to graze must always be specific and estimated at the rate of 2 acres per cow and four acres per buffalo. In desert areas or where the stocking of forest is very poor, the unit will be 15 acres per cow. The latest cattle Census figures may be taken as the basis of determining the maximum number. The season open to grazing may also be specified.

While admitting the cattle for grazing, the Forest Settlement Officer will keep in view the scale and note his opinion whether the forest can stand the burden and give his suggestion.

#### 3. Right of Grass Cutting

This right is not recognized for the purpose of stocking above the actual domestic requirements. As the grass is cut and brought from the forest in head-loads only for milch cows and buffaloes or calves or oxen, the number of head-loads may be determined at the rate of one head-load for two cow or for one buffalo or for a pair of oxen or for four young calves per day. The season may also be specified during which head-loads of grass may be cut. For estimating the quantity, 100 head-loads per year per family may be taken as a rough guide. The period from March to July should be specifically mentioned as closed to grass cutting.

#### 4. Right of Litter and of Lopping

The definition will consist in describing the nature of right. As to lopping, if for fodder, the kind of trees and the places where

it can be exercised should be defined. This should be permitted only if it has been a long standing practice. Lopping is generally for (1) milch buffalo e. g., *cheela* leaves or *dhokra* (2) young ones of goats and sheep who cannot go out for grazing. As to the former one head-load of *cheela* or *dhokra* leaves for one milch buffalo and for the latter one head-load for *dhokra* for a herd of fifty heads may form the basis for determining the quantity per day.

At places where *cheela* leaves are collected for thatching the number of head-loads may be ascertained by examining the need of the right-holder, Roughly, five head-loads per year should suffice for thatching a shed for 10 cattle-heads.

#### 5. Right to Collect Minor Produce

Right to collect minor forest produce consists of collection of gums and resin, wax and honey, hides and horns, wood oil, medicinal herbs, flowers and leaves, fruits and seeds, bark, fibre, clay, sand, gravel, lime-stone, pebbles and concrete etc.

The produce will be removed on head-loads only to the extent permitted, for their personal *bona fide* requirements and for petty sale.

#### E—Right of Hunting and Fishing.

Such rights do not exist, except for the Rulers of the Former States. These rights are governed by the terms of the privileges recognised separately in each case by the Government.

13. *Guiding Principle*.—All these rights and concessions are subject to the condition that forests are to be maintained. The right of user or easement is always a limited one, it can never extend so as to destroy the servient estate. The right exists so long as the (servient) property is safe or continues to exist, because if the (servient) estate ceases to exist, the right ceases with it.

So while dealing with the claims, the Forest Settlement Officer should see that the forests are not unduly burdened.

14. After the issue of a notification under section 4, no fresh clearing for cultivation or for any other purpose shall be made in the land included in the said notification :

Provided that the Collector may with the previous concurrence of the Chief Conservator of Forests permit such clearings for rehabilitating displaced persons and landless tenants and for irrigation projects.

### PART VI

#### 15.—Protected Forests

(i) So far as the inquiry into the rights of the people is concerned there is no much difference between a Reserved and Protected Forests. Usually all those forests which are very heavily burdened with rights are constituted as Protected Forests and concessions are granted in a more liberal scale.

(ii) The constitution of Protected Forests in Rajasthan is, however, a matter of expediency only.

(iii) After the notification under sections 29-30 which shall be in the Form 'M' is published the procedure prescribed in the said notification and where procedure has not been prescribed in the notification, the procedure as given in Chapter II (Up to section 19) of the Act will be followed.

(iv) A proclamation which will be issued by the Forest Settlement Officer for inviting objections is given in the Form 'N'.

When the inquiry is complete the enquiry officer shall forward the following papers to the Chief Conservator of Forests through the Conservator of Forests, Planning & Demarcation and Territorial Conservator—

- (i) Summary report of the proceedings,
- (ii) Abstract of rights and concessions,
- (iii) Sketch map and boundary description.

(v) On receipt of the above papers the Chief Conservator of Forests will submit the same to the Government. The Notification to be issued by the Government under sub-section (1) of section 29 of the Act shall be in the Form 'O'

## PART VII

### I6. Miscellaneous.

#### *Commentary*

Section 19 of the Act provides that, "The Government, or any person who has made a claim under this Act, may appoint any person to appear, plead and act on its or his behalf before the Forest Settlement Officer or the appellate Officer or Court, in the course of any inquiry or appeal under this Act." The rule appoints Divisional Forest Officers/Range Officers as pleaders on behalf of the Government.

The Divisional Forest Officers/Range Officers are authorised to appear, plead and act on behalf of the Government before the Forest Settlement Officer of the appellate authority in the course of any inquiry or appeal pertaining to his area under section 19 of the Rajasthan Forest Act.

#### FORM 'A'

(*Vide Rule 5 (ii)*)

Whereas the forest land or the waste land specified in the schedule appended hereto are the properties of the Government or the Government has proprietary rights therein or the Government is entitled to the whole or any part of the forest produce thereof;

And whereas the Government proposes to constitute the aforesaid forest land or waste land as Reserve Forest under section 3 of the Forest Act, 1953;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the said Act, the Government hereby declares that it has been decided to constitute the said land as

Reserve Forest and further appoints the Forest Settlement Officer/ Assistant Forest Settlement Officer to enquire into and determine the existence, nature and extent of any rights alleged to exist in favour of any person in or over any land comprised within such limits or in or over any forest produce and to deal with the same as provided in Chapter II of the said Act.

### THE SCHEDULE

(*Note.—The description of the boundary under section 4 (1) (b) should be such that it can be located on ground with reasonable accuracy. It shall be sufficient to describe the limits of the forests by roads, rivers and ridges or other, well-known or readily intelligible boundaries.*)

S.No.	Name of the Block.	Name of the Tehsil.	Name of the Distt.	Remarks
-------	--------------------	---------------------	--------------------	---------

1	2	3	4	5	6
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### FORM 'B'

*[Vide Rule 7(a)(i)]*

**Khasra Bandobast**

Name of Village Khasra Number	Tehsil Area Soil-class	District Name of khatedar or sub tenant	St. Remarks
1	2	3	4

### FORM 'C'

*[Vide Rule 7(a)(ii)]*

**General Statement Regarding Block.....**

1. No. of the case.
2. Name of the block.
3. Name of the tehsil.
4. Name of the district.
5. Name of range.
6. Area of the block.
7. Number and date of the Rajpatra wherein published.
8. Description of Demarcation line and number of pillars fixed on the spot and running line.
9. Neighbouring villages.
10. Area of respective villages included in the block.

11. Khatedari area is in the block.
12. Total of the village-wise area.
13. Area outside the block in particular village left out for free grazing.
14. What is the practice for taking particular type of timber and firewood ?
15. The number of the cattle of the block villages.
16. Any religious place inside the Block.

#### FORM 'D'

[Vide Rule 7 (a) (iii)]

List of ways and paths open to public throughout the year.

S.No.	Name of block	Name of ways or paths	Details of the ways or the paths	Remarks
1	2	3	4	5

Rajasthan Forest (Settlement) Rules, 1958

[ Form E-G ]

**FORM 'E'**

[*Vide Rule 7 (a) (iv)*]

S.No.	Name of block	Name of religious place	Details of religious place	Name of the route which leads to religious place	Name of the puja and fair, if any	The date of the activity	Area left out for religious worship and other related activity	Remarks
1	2	3	4	5	6	7	8	

**FORM 'F'**

[*Vide Rule 7 (a) (v)*]

S.No	Name of the block and tehsil	Class of fruit tree	The name of the owner with parentage and residence	Quantity	Fruits	Flowers	Timber	Remarks
1	2	3	4	5	6	7	8	9

**FORM 'G'**

[*Vide Rule 7 (a) (vi)*]

Name of the Block	Name of the habitation	The name of the man of each family of the habitation	Number of houses admitted	Number of houses	List of Forest Abadis.	Number of the cattle including goats and sheep admitted to free grazing	Remarks
1	2	3	4	5	6	7	8

**FORM 'H'**  
(*Vide Rule 8*)  
Register  
S.N.o. Names of claimants preferred to land.

Reprint

Register 'A'

1	2	3	4	5	6	7
mans	Description and address of claimants	Date of presentation of claims	Nature and extent of claims preferred	No. in Register 'B'	Remarks	

# Rajasthan Forest (Settlement) Rules, 1958

FORM 'H'  
(*Vide Rule 8*)

Reprint - Zvilevsky

Register 'A'

1	2	3	4	5	6	7
mans	Description and address of claimants	Date of presentation of claims	Nature and extent of claims preferred	No. in Register 'B'	Remarks	

**FORM 'H'**  
*(Vide Rule 8)*  
 Register 'D'

### Register 'B'

- 100 -

## FORM 'I'

[Vide Rule 7(b)]

Summary Report of the Forest Settlement Officer.....  
To .....

.....  
.....  
.....

*Subject:-* Final notifications under section 20 of the Rajasthan Forest Act pertaining to Block No... ..in Range... District..... ..

A preliminary notification for declaring the aforesaid Block as Reserved Forest under section 4 of the Rajasthan Forest Act (Act No. XIII of 1953) was issued by the Rajasthan Government in Revenue Department, *vide* Notification No.....dated..... published in the Rajasthan Rajpatra dated.....

Under section 6 of the Act a proclamation in the adjoining villages of the block was issued for inviting objections within a period of three months.

The Forest Settlement Officer heard the objections on the spot and decided the cases. The decisions on each files are appended.

Period for filing objections is over and no appeal under section 17 of the Act is pending with the Appellate Authority.

The final draft under section 20 of the Act along with a statement of Rights and Conecessions and a map is enclosed for approval and publication in the Official Gazette.

*Signature of Forest Settlement Officer.*

## FORM 'J'

[Vide Rule 7(d)]

## NOTIFICATION

(Under Sec. 20)

*Dated Jaipur, the May, 1958*

No...../ —Whereas it was proposed by Notification No.....dated.....to constitute the land specified below as Reserved Forest under the Rajasthan Forest Act (Act XIII of 1953);

And whereas the period fixed by the said Act for the presentation of claims to rights in these lands has expired and all claims, if any, made have been disposed of;

And whereas the period for appeal from the orders passed on the said claims has elapsed and all appeals presented without such period have been disposed of;

*bhils* and *minas* etc., who have no other means of livelihood except the sale of firewood in head-loads in the neighbouring localities; it would be necessary to fix a limit to the number of head-loads that may be removed per mensem, which may be fixed at 15 to 20 head loads weighing 20 seers each per individual for all the year round except the rainy season.

(iv) *Fencing*.—Thorny-bushes and twigs, such as of 'Dhokra' and 'Dansren' are taken for fencing cattle sheds by cultivators.

Roughly 5 head-loads a year may be allowed for a cattle shed of an average size hold in 10 cattle heads. It is not easy to determine the requirements for fencing cultivation. At a rough calculation 1 cart load per bigha of holding may be permitted every alternate year.

### 2. Rights of Pasture or Grazing

This right may be of two kinds.—(1) Right of the adjoining villages or local right holder and (2) those of migratory herds. The latter type of right is seldom existent in Rajasthan. Grazing facilities are allowed mainly for bulls, oxen, cows and buffaloes. There is no direct prohibition of the grazing of goats, sheep and camels, but since these are destructive to the forest, their numbers be restricted as far as possible. Mules, horses, donkeys are not common and they may be treated on the same footing as cows and buffaloes.

The maximum number and kind of cattle admitted to graze must always be specific and estimated at the rate of 2 acres per cow and four acres per buffalo. In desert areas or where the stocking of forest is very poor, the unit will be 15 acres per cow. The latest cattle Census figures may be taken as the basis of determining the maximum number. The season open to grazing may also be specified.

While admitting the cattle for grazing, the Forest Settlement Officer will keep in view the scale and note his opinion whether the forest can stand the burden and give his suggestion.

### 3. Right of Grass Cutting.

This right is not recognized for the purpose of stocking above the actual domestic requirements. As the grass is cut and brought from the forest in head-loads only for milch cows and buffaloes or calves or oxen, the number of head-loads may be determined at the rate of one head-load for two cow or for one buffalo or for a pair of oxen or for four young calves per day. The season may also be specified during which head-loads of grass may be cut. For estimating the quantity, 100 head- loads per year per family may be taken as a rough guide. The period from March to July should be specifically mentioned as closed to grass cutting.

### 4. Right of Litter and of Lopping

The definition will consist in describing the nature of right. As to lopping, if for fodder, the kind of trees and the places where

it can be exercised should be defined. This should be permitted only if it has been a long standing practice. Lopping is generally for (1) milch buffalo e. g., *cheela* leaves or *dhokra* (2) young ones of goats and sheep who cannot go out for grazing. As to the former one head-load of *cheela* or *dhokra* leaves for one milch buffalo and for the latter one head-load for *dhokra* for a herd of fifty heads may form the basis for determining the quantity per day.

At places where *cheela* leaves are collected for thatching the number of head-loads may be ascertained by examining the need of the right-holder. Roughly, five head-loads per year should suffice for thatching a shed for 10 cattle-heads.

#### 5. Right to Collect Minor Produce

Right to collect minor forest produce consists of collection of gums and resin, wax and honey, hides and horns, wood oil, medicinal herbs, flowers and leaves, fruits and seeds, bark, fibre, clay, sand, gravel, lime-stone, pabbles and concrete etc.

The produce will be removed on head-loads only to the extent permitted for their personal *bona fide* requirements and for petty sale.

#### E—Right of Hunting and Fishing.

Such rights do not exist, except for the Rulers of the Former States. These rights are governed by the terms of the privileges recognised separately in each case by the Government.

13. *Guiding Principle*.—All these rights and concessions are subject to the condition that forests are to be maintained. The right of user or easement is always a limited one, it can never extend so as to destroy the servient estate. The right exists so long as the (servient) property is safe or continues to exist, because if the (servient) estate ceases to exist, the right ceases with it.

So while dealing with the claims, the Forest Settlement Officer should see that the forests are not unduly burdened.

14. After the issue of a notification under section 4, no fresh clearing for cultivation or for any other purpose shall be made in the land included in the said notification :

Provided that the Collector may with the previous concurrence of the Chief Conservator of Forests permit such clearings for rehabilitating displaced persons and landless tenants and for irrigation projects.

### PART VI

#### 15.—Protected Forests

(i) So far as the inquiry into the rights of the people is concerned there is no much difference between a Reserved and Protected Forests. Usually all those forests which are very heavily burdened with rights are constituted as Protected Forests and concessions are granted in a more liberal scale.

(ii) The constitution of Protected Forests in Rajasthan is, however, a matter of expediency only.

(iii) After the notification under sections 29-30 which shall be in the Form 'M' is published the procedure prescribed in the said notification and where procedure has not been prescribed in the notification, the procedure as given in Chapter II (Up to section 19) of the Act will be followed.

(iv) A proclamation which will be issued by the Forest Settlement Officer for inviting objections is given in the Form 'N'.

When the inquiry is complete the enquiry officer shall forward the following papers to the Chief Conservator of Forests through the Conservator of Forests, Planning & Demarcation and Territorial Conservator—

(i) Summary report of the proceedings,

(ii) Abstract of rights and concessions,

(iii) Sketch map and boundary description.

(v) On receipt of the above papers the Chief Conservator of Forests will submit the same to the Government. The Notification to be issued by the Government under sub-section (1) of section 29 of the Act shall be in the Form 'O'

## PART VII

### 16. Miscellaneous.

#### *Commentary*

Section 19 of the Act provides that, "The Government, or any person who has made a claim under this Act, may appoint any person to appear, plead and act on its or his behalf before the Forest Settlement Officer or the appellate Officer or Court, in the course of any inquiry or appeal under this Act." The rule appoints Divisional Forest Officers/Range Officers as pleaders on behalf of the Government.

The Divisional Forest Officers/Range Officers are authorised to appear, plead and act on behalf of the Government before the Forest Settlement Officer of the appellate authority in the course of any inquiry or appeal pertaining to his area under section 19 of the Rajasthan Forest Act.

#### FORM 'A'

(*Vide Rule 5 (ii) )*

Whereas the forest land or the waste land specified in the schedule appended hereto are the properties of the Government or the Government has proprietary rights therein or the Government is entitled to the whole or any part of the forest produce thereof;

And whereas the Government proposes to constitute the aforesaid forest land or waste land as Reserve Forest under section 3 of the Forest Act, 1953;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the said Act, the Government hereby declares that it has been decided to constitute the said land as

Reserve Forest and further appoints the Forest Settlement Officer/ Assistant Forest Settlement Officer to enquire into and determine the existence, nature and extent of any rights alleged to exist in favour of any person in or over any land comprised within such limits or in or over any forest produce and to deal with the same as provided in Chapter II of the said Act.

### THE SCHEDULE

(*Note.—The description of the boundary under section 4 (1) (b) should be such that it can be located on ground with reasonable accuracy. It shall be sufficient to describe the limits of the forests by roads, rivers and ridges or other well-known or readily intelligible boundaries.)*

S.No.	Name of the Block.	Name of the Tehsil.	Name of the Distt.	Boundaries	Remarks
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### FORM 'B'

[*Vide Rule 7(a)(i)]*

#### Khasra Bandobast

Name of Village Khasra Number	Tehsil Area	District Name of khatedar or sub tenant	St. Remarks
1	2	3	4

### FORM 'C'

[*Vide Rule 7(a)(ii)]*

#### General Statement Regarding Block.....

1. No. of the case.
2. Name of the block.
3. Name of the tehsil.
4. Name of the district.
5. Name of range.
6. Area of the block.
7. Number and date of the Rajpatra wherein published.
8. Description of Demarcation line and number of pillars fixed on the spot and running line.
9. Neighbouring villages.
10. Area of respective villages included in the block.

11. Khatedari area is in the block.
12. Total of the village-wise area.
13. Area outside the block in particular village left out for free grazing.
14. What is the practice for taking particular type of timber and firewood ?
15. The number of the cattle of the block villages.
16. Any religious place inside the Block.

### FORM 'D'

[*Vide Rule 7 (a) (iii)*]

List of ways and paths open to public throughout the year.

S.No.	Name of block	Name of ways or paths	Details of the ways or the paths	Remarks
1	2	3	4	5

**FORM 'E'**[*Vide Rule 7 (a) (iv)*]**List of Religious Places.**

S.No.	Name of block	Name of religious place	Details of religious place	Name of the route which leads to religious place	The date of the puja and fair, if any	Area left out for religious worship and other related activity	Remarks
1	2	3	4	5	6	7	8

**FORM 'F'**[*Vide Rule 7 (a) (v)*]**List of fruit trees belonging to private persons.**

S.No	Name of the block and tehsil	Class of fruit tree	The name of the owner with parentage and residence	Quantity	Details of rights	Remarks
1	2	3	4	5	6	7

**FORM 'G'**[*Vide Rule 7 (a) (vi)*]**List of Forest Abadis.**

Name of the Block	Name of the habitation	The name of the head man of each family of the habitation	Number of houses admitted	Number of the cattle including goats and sheep admitted to free grazing	Remarks
1	2	3	4	5	6

**FORM 'H'**  
*(Vide Rule 8)*

*Register of claims preferred to lands, rights to forest produce or easements in the proposed reserved forest.*

S.No.	Name of claimants	Names of claimants	Description and address of claimants	Date of presentation of claims	Nature and extent of claims preferred	No. in Register 'B'	Remarks
1						6	7

**FORM 'H'**  
*(Vide Rule 8)*

*Register of claims to lands, rights to forest produce or easements in the proposed reserved forest.*

S.No.	Name of claimants	Date of presentation of claims	No. of claimants	Nature and extent of claims preferred	Brief summary of the evidence adduced in support of claims	Brief summary of the Div. Forest Officer's arguments and evidence produced by him	Brief abstract of decision of the Forest Officer	Brief abstract of decision of the Forest Officer	Settlement Officer	Remarks
1	2	3	4	5	6	7	8	9	8	10

## FORM 'I'

[Vide Rule 7(b)]

To .....  
 .....  
 .....  
 .....  
 .....  
 .....  
 .....  
 Summary Report of the Forest Settlement Officer.....

*Subject:-Final notifications under section 20 of the Rajasthan Forest Act pertaining to Block No... in Range... District.....*

A preliminary notification for declaring the aforesaid Block as Reserved Forest under section 4 of the Rajasthan Forest Act (Act No. XIII of 1958) was issued by the Rajasthan Government in Revenue Department, *vide* Notification No.....dated..... published in the Rajasthan Rajpatra dated.....

Under section 6 of the Act a proclamation in the adjoining villages of the block was issued for inviting objections within a period of three months.

The Forest Settlement Officer heard the objections on the spot and decided the cases. The decisions on each files are appended.

Period for filing objections is over and no appeal under section 17 of the Act is pending with the Appellate Authority.

The final draft under section 20 of the Act along with a statement of Rights and Concessions and a map is enclosed for approval and publication in the Official Gazette.

*Signature of Forest Settlement Officer.*

## FORM 'J'

[Vide Rule 7(d)]

## NOTIFICATION

(Under Sec. 20)

*Dated Jaipur, the May, 1958*

No...../ —Whereas it was proposed by Notification No.....dated.....to constitute the land specified below as Reserved Forest under the Rajasthan Forest Act (Act XIII of 1953);

And whereas the period fixed by the said Act for the presentation of claims to rights in these lands has expired and all claims, if any, made have been disposed of;

And whereas the period for appeal from the orders passed on the said claims has elapsed and all appeals presented without such period have been disposed of;

And whereas all lands, if any, acquired for inclusion in the proposed forest, have become vested in the Government under the law of compulsory acquisition;

Now, therefore, in exercise of the powers conferred by section 20 of the said Act, the State Government does hereby declare the said land to be Reserved Forest with effect from the day of subject to the provision that the villages named hereinafter shall have no rights/continue to have the said rights to the extent appearing in the Abstract List (1) and enjoy no concession/concessions to the extent appearing in the Abstract List (2) at such seasons within such portions of the said forests and under such rules as may from time to time be prescribed by the State Government.

By Order of the Governor,  
*Secretary to the Government.*

*Specification of Land.*

Distt.	Tehsil	Patti	Mauza	Approximate area	Remarks
1	2	3	4	5	6

*Boundary description of Block  
(Vide Rule 9-C)*

S No.	From Pillar No.	To Pillar No.	Distance in Chains & links	Direction	Nature of boundary line to next pillar
1	2	3	4	5	6
			Chains Links		

*Note:*—(1) Chain is equal to 66 ft. or 100 links.

(2) Measurement herein is of measurement on the ground.

*The abstract list (1) of rights in.....Block.....Range.....Tehsil.....District.....*

Vide Rule 9 (b)

The abstract list (2) of concessions in.....Block.....Range.....Tehsil.....District.....

Concessions are liable to withdrawn by the State Govt. at any time.

DESCRIPTION OF CONCESSIONS.										Remarks.	
Name of Patti	3	Name of Villages having concessions.	3	Number of houses	3	Population.	3	Number of families.	3	Number of ploughs.	4
Forest Division.	2	the open portion of which these concessions can be exercised.	1	Number of Forest Block in adjoining the station with distance	1	the open portion of which these concessions can be exercised.	1	Number of village adjoining the block.	2	the open portion of which these concessions can be exercised.	1
Khasra Had Bast.	5	Dwelling Houses	5a	Cattle sheds (Misc.)	5b	Wood	6	Wood for Agricultural implements	6	(cubic ft. in the log per annum)	7
Tehsil.	7	Charcoal for Blacksmiths (in head-loads per annum)	8	Miscellaneous under-wood.	9	Fodder Grass.	10	Fodder Grass for sale	11	Grass for thatching.	12
Range.	13	Babat.	14	Dry leaves.	15	Green leaves for fodder.	16	Fruits and roots.	17	Bark of creepers.	18
District.	19	States.	20	Lime stone.	21	Water for mills.	22	Irrigation channels.	23	Fishing.	24
Pillar to pillar.	25	Burding Ghats.	26								

FORM 'K'  
(Vide Rule 10)

S. No.	Name of village	Number of survey station with distance	Name of the pillar.	Distance of Chanda Line from which Off-Set taken.	Off-Set	Distance from Pillar to	Range.....	Tehsil.....	Block.....	Forest Settlement Officer.....	Block.....
1	2	3	4	5	6	7	8	9	5	10	11

## FORM 'L'

*Vide Rule 11.*

## OFFICE OF THE FOREST SETTLEMENT OFFICER

## P R O C L A M A T I O N

(Under section 6 of the Rajasthan Forest Act)

Whereas a notification under section 4 of the Rajasthan Forest Act, 1953 to constitute the land specified below as Reserved Forest has been issued by the Government and published in the Official Gazette No ..... dated ..... Now under section 6 of the said Act, I..... Forest Settlement Officer..... do hereby publish and explain the following consequences which will ensue on the reservation of this Forest:—

- (1) No fresh clearing or breaking of land for cultivation or any other purpose will be conducted.
- (2) No fire will be kindled, kept or carried.
- (3) No trespass by any person or cattle will be done.
- (4) No felling or burning of a tree or removing of bark or any other kind of damage will be caused to the trees.
- (5) No quarrying of stone, burning of lime or charcoal or collecting subjecting to any manufacturing process or removing of any forest produce will be performed.
- (6) No hunting, shooting or fishing, poisoning of water or setting traps or snares will be done.

It is, therefore, notified for the information of all concerned that any person claiming any right in or over the land or forest produce may within a period of 3 months from the date of this proclamation either present to me a written notice or appear before me and state the nature of such rights and the amount and particulars of the compensation (if any) claimed in respect thereof.

No claim will be entertained after the expiry of the stipulated period.

*Signature of the Forest Settlement Officer.*

## FORM 'M'

*Vide Rule No. 15 (iii)*

Whereas the forest land and waste land shown in the First Schedule appended hereto are the properties of the Government or the Government has proprietary rights therein or the Government is entitled to the whole or any part of the forest produce thereof;

And whereas the Government proposes to declare the aforesaid forest land and waste land as Protected Forest under sub section (1) of section 29 of the Rajasthan Forest Act, 1953.

And whereas the nature and extent of right of Government and of private persons in or over the aforesaid land have not yet been recorded in any manner;

And whereas the Government further thinks that an inquiry into and record of the nature and extent of the rights of the Government and the private persons in or over the aforesaid forest land or waste land are necessary but they will occupy such length of time as in the meantime to endanger the rights of the Government;

Now therefore, in exercise, of the powers conferred by sub-section (3) of section 29 of the Rajasthan Forest Act, 1953 (Act No. 13 of 1953), the Government does hereby appoint the Forest Settlement Officer/Assistant Forest Settlement Officer to inquire into and record the rights of the Government and of private persons in or over the aforesaid forest land or waste land and such inquiry and record shall be made in the manner as far as practicable, provided in sections 6, 7, 8, 10, 11 (1), 12, 13, 14, 17, 18 and 19 of the said Act ;

And in further pursuance of the powers conferred by proviso to sub-section (3) of section 29 of the said Act, the Government of Rajasthan, pending aforesaid inquiry and record, does hereby declare the said forest land and waste land to be a protected forest but not so as to abridge or affect any existing rights of individuals or communities;

And in further pursuance of the powers conferred by section 30 thereof the Government further declares that the trees shown in the Second Schedule appended hereunder, in the said protected forest are reserved with effect from the date of publication of this notification in the Gazette and prohibits from the aforesaid date the quarrying of stone or burning of lime or charcoal or the collection or subjection to any manufacturing process, or removal of, any forest produce in the said forests, and the breaking up or clearing for cultivation or for building, for herding cattle or for any other purpose, of any land in the said forest.

I Schedule (forest land and waste land)

II Schedule (trees reserved)

By Order of the Governor.

## FORM 'N'

*Vide Rule 15 (iv)*OFFICE OF THE FOREST SETTLEMENT OFFICER  
PROCLAMATION

As notification under section 29 of the Rajasthan Forest Act, 1953 to constitute the land specified as protected forest has been issued by the Government and published in the Rajasthan Rajpatra No..... dated.....and further in pursuance of the powers conferred by section 30, the trees shown in the second schedule have been reserved and quarrying of stone, burning of lime or charcoal, removal of any forest produce, breaking up or clearing for cultivation or for buildings etc., have been prohibited but not so as to abridge or affect any existing rights of individuals or communities, I.....Forest Settlement Officer/Assistant Forest Settlement Officer notify for the information of all concerned that any person claiming any right in or over the land or forest produce may within a period of 3 months from the date of this proclamation either present to me a written notice or appear before me and state the nature of such rights and the amount and particulars of the compensation (if any) claimed in respect thereof.

No claim will be entertained after the expiry of the stipulated period.

*Signature of the Forest Settlement Officer.*

## FORM 'O'

*Vide Rule 15 (v).*

Whereas the nature and extent of the rights of the Government and of private persons in or over the forest land and waste land comprised in the Schedule hereto appended have been inquired into and recorded in accordance with the notification No..... dated.....issued under sub-section (3) of section 29 of the Rajasthan Forest Act, 1953 (Rajasthan Act No. XIII of 1953).

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 29 of the said Act, the State Government does hereby declare that the provisions of Chapter IV of the said Act shall apply to the said forest land and waste land, which shall hereafter be called a Protected Forest.

By Order of the Governor,

*Secretary to the Government.*

**FORM 'P'**  
*Vide Rule 1281 (i)*

The quantity of timber required for Agricultural purposes by the Cultivators.

By Order,  
R. N. HAWA,  
*Secretary to the Government.*

# RAJASTHAN RESERVED FOREST RULES, 1957

## NOTIFICATION

*Jaipur, January 28, 1958*

No. F. 34 (44) Rev. A/53 :—In exercise of the powers conferred by section 26 A of the Rajasthan Forest Act, 1953 (Act No. XIII of 1953), the Governor of Rajasthan is pleased to make the following rules, namely :—

### *Preliminary.*

#### *Commentary*

Section 26 A of the Rajasthan Forest Act, 1953 as amended by Rajasthan Act No. XXII of 1956 authorises the State Government to make rules for regulating the following matters in respect of Reserved Forests, namely :—

- (a) the making of fresh clearings for cultivation or for any other purpose;
- (b) the continuance of the practice of shifting cultivation;
- (c) the grazing of cattle or the carrying of forest produce by persons whose claim to the right of pasture or right to forest produce or right of way or water-course is admitted under section 12;
- (d) the kindling, keeping or carrying of fire;
- (e) the felling, uprooting, tapping, girdling, sawing, conversion and removal of trees and timber and the collection, manufacture and removal of forest produce, from such forests;
- (f) the examination of forest produce passing out of such forests;
- (g) the protection from fire of timber, charcoal or other produce lying in such forests and of trees;
- (h) the cutting of grass and pasturing of cattle in such forests;
- (i) hunting, shooting, fishing, poisoning water and setting traps or snares in such forests;
- (j) generally for carrying out the purposes of the Act.

Section 76 of the Act confers the Government with additional powers to make rules:—

- (a) to prescribe and limit the powers and duties of any Forest Officer under this Act;
- (b) to regulate the rewards to be paid to officers and informers out of the proceeds of fines and confiscation under this Act;
- (c) for the preservation, reproduction and disposal of trees and timber belonging to Government, but grown on lands belonging to or in the occupation of private person; and
- (d) generally to carry out the provisions of this Act.

The State Government have framed these rules in exercise of the powers given under section 26 A of the Act. The contravention of these rules has been made punishable under section 26 A (ii) of the Act. The rules so formed have the force of law by virtue of section 78 of the Act.

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*These rules have been first published in Rajasthan Raj-patra, dated February 20, 1958 in Part IV (c) at page 1013.*

1. *Title and commencement* :—(a) These rules shall be called the Reserved Forests Rules, 1957 and shall come into force upon their publication in the Gazette.

(b) *Interpretation* :—In these rules “Form” means a form appended to these rules.

II

### *Clearance and shifting cultivation.*

#### *Commentary*

Section 10 of the Act describes the procedure for treatment of claims relating to practice of shifting cultivation. Notwithstanding the recognition of such claim, the practice of shifting cultivation is in all cases subject to control, restriction and abolition by the Government. Rules in this part contain the manner and method of such control and restriction.

2. *Permit for clearance* :—No person shall make any fresh clearing for cultivation or for any other purpose without obtaining a permit in writing in Form I from the Divisional Forest Officer concerned.

3. *Practice and Permit for shifting cultivation* :—The practice of shifting cultivation shall remain confined to the areas already under such cultivation and no person shall extend this practice in any new area without obtaining a permit in writing in Form II from the Divisional Forest Officer concerned.

4. *Burning of debris* :—After making fresh clearing of an area, if debris are burnt, they shall be burnt in such a manner that there is no danger of any fire spreading into the area not cleared.

5. *Bund and terracing* :—If the land cleared has slope of more than  $100^{\circ}$  it shall not be brought under cultivation unless it is enclosed by a bund at the lower end of the slope, but when a land has a slope of  $30^{\circ}$  suitable terracing must be done and no terrace shall have the slope of more than  $100^{\circ}$ .

6. *Tenancy rights* :—No tenancy rights shall accrue in the land so cleared for the purpose of cultivation.

7. *Structure* :—No permanent structure shall be erected on the land cleared without an agreement for the purpose with the Government.

8. *Duties of occupants* :—The occupants of the land cleared shall be bound to render all possible help whether assistance is called for or not :—

(i) in bringing under control and extinguishing forest fires ; and

(ii) in stopping illicit felling, lopping, grazing, shooting, hunting, fishing and any other kind of forest offence.

III

### *The cutting of grass, pasturing of cattle in such forests.*

#### *Commentary*

The claims regarding the cutting of grass and pasturing of cattle in reserved

forests are admitted after due inquiry under section 11 and 12 of the Act. The rights so recognised or the priviledges for such purposes are to be granted in accordance with the provisions of rules contained in this part.

9. *Cutting of grass etc* :—(1) No person shall cut grass from any part which is closed to grass cutting.

(2) Grass shall not be cut in any period of the year except from 1st October to 31st January.

(3) No person shall pasture cattle except in such parts of the forest as are opened from time to time for grazing by Divisional Forest Officer.

(4) No person shall graze cattle except in accordance with a permit issued in Form III by the Range Officer and without payment of grazing fee prescribed for the area by the Government from time to time.

(5) There shall be one headman for every 20 heads of cattle or part thereof.

#### IV

*Carrying of forest produce by persons whose right is admitted under section 12.*

*Commentary*

A right to the carriage of forest produce in the reserved forest area can be admitted after due inquiry under section 11 and 12 of the Act. Such a right is to be exercised in accordance with the provisions of the rules contained in this part.

10. *Carriage of forest produce* :—No person whose right is admitted under section 12 of the Rajasthan Forest Act, 1953, shall carry any forest produce except in accordance with a permit in Form IV issued by the Range Officer.

11. *Passage through the specified nakas* :—All Forest produce extracted from the Reserved Forests must pass through the *chowkies* (*nakas*) specified by the Divisional Forest Officer.

#### V

*Kindling, keeping or carrying of fire.*

*Commentary*

Section 26 sub-section (1) sub-clause (c) of the Act prohibits kindling, keeping or carrying any fire in reserved forest except at such seasons as the Forest Officer may notify in this behalf.

This rule requires the Divisional Forest Officer to issue such notification every year.

12. *Closed period* :—The Divisional Forest Officer shall publish every year the period during which no one shall kindle, keep or carry any fire.

#### VI

*Felling, uprooting, tapping, girdling, sawing, conversion and removal of trees and timber and the collection, manufacture and removal of forest produce from such forests.*

Section 26 of the Act provides that any person who, in a Reserved Forest:—

- (e) causes any damage by negligence in felling uprooting converting any tree or cutting or dragging any timber ;
- (f) fells, uproots, girdles, lops, taps, or burns any tree or part thereof, or strips off the bark or leaves from or otherwise damages, the same;
- (g) quarries stone, burns lime or charcoal, or collects, subjects to any manufacturing process, or removes, any forest produce ;

Shall be punishable. But any act done by permission in writing of the Forest Officer, or under any rule made by the Government is exempted from this penal provision vide saving clause contained in section 26 sub-section (ii) sub-clause (a) of the Act. The rules in this part are meant to put these statutory provisions into effect.

13. *Cutting of trees* :—No person shall fell, uproot, tap, girdle, saw, convert and manufacture any standing tree except in accordance with the permit issued in Form V by the Range Officer and no person shall remove any tree or other produce converted or manufactured except in accordance with the permit issued in Form IV by the Range Officer.

14. *Manner of felling* :—(a) Trees shall be felled as close to the ground as possible, leaving the Government hammer mark intact and on no account shall be stumps of trees under 3' in girth be left more than 6" in height.

(b) No person shall fell a tree in a manner so as to cause damage to any other tree.

(c) Should any tree which a person is entitled to fall, be accidentally arrested in its fall by another tree to which he is not entitled in such a manner that former cannot be utilised without felling or injuring the latter, he may fell or injure the latter tree upon payment of such price and compensation therefore as may be fixed by the Divisional Forest Officer.

15. *Presumption of caution* :—The axe or saw cuts will be inspected by the Range Officer concerned. If the slope of the cut is in the direction in which the tree is to be felled, it shall be presumed that there was no careless felling.

16. *Filling of pits* :—In case of uprooting trees the pits shall be refilled by the persons uprooting the tree.

17. *Sliding* :—Sliding any timber is strictly prohibited.

18. *Obstructions* :—No obstruction to roads and fire lines shall be made in felling and conversion of trees and the person felling and converting shall not stock his material outside the limits of the area without the specific permission of the Divisional Forest Officer in writing.

19. *Bamboo* :—(a) Bamboo culms shall not be cut during the time of their flowering. But they may be cut anywhere after the shed of seed with the permission of the Divisional Forest Officer.

(b) In each clump at least 3-4 old, sound and well grown

clumps must be left unfelled, evenly spaced along the outer periphery of the clump.

(c) Digging and extracting of bamboo rhizomes is prohibited.

(d) Bamboo culms shall not be cut less than 2" or more than 6" above the ground except in the case of congested clumps where the cutting must be done at the best possible point.

(e) Sharp implements must be used in order to avoid tearing of the culms.

20. *Marking etc* :—(a) No timber including trees or parts thereof shall be conveyed beyond the limits of the area without being stamped at both ends, with such mark as the Divisional Forest Officer may specify.

(b) No forest produce shall be conveyed beyond the limits of the area without a pass signed by the Forest Moharrir (*nakedar*) in such form as the Divisional Forest Officer may prescribe.

(c) No such forest produce shall be carried except by such routes and via such *chowki* or *chowkies* as may be prescribed by the Divisional Forest officer and no Wood Officer and no wood other than fuel shall be removed beyond the said *chowki* or *chowkies* without being stamped with such Government mark as the Divisional Forest Officer may prescribe for use at each *chowki*. The forest produce may be counted and measured by the forest official in-charge of the *chowki* and by any forest officer at any time during transit.

21. *No carriage in night* :—No forest produce shall be exported after sun-set and before sun-rise unless specifically permitted by the Divisional Forest Officer.

22. *Dragging by cattle* :—No dragging of trees by cattle is permitted along any road or path in any part of the forest.

## VII

### *The examination of forest produce passing out of such forests*

23. *Checking*.—Any forest officer not below the rank of a Forest Guard may check the forest produce during transit.

## VIII

### *The protection from fire of timber, charcoal or other produce lying in such forests and of trees.*

#### *Commentary*

Section 26 [1] of the Act provides that any person who:—

(b) sets fire to a reserved forest, or in contravention of any rules made by the Government in this behalf, kindles any fire, or leaves any fire burning in such manner as to endanger such a forest ; or who in a reserved forest—

(c) kindles, keeps or carries any fire except at such seasons as the Forest Officer may notify in this behalf ; shall be punishable. Sub-section (2) of section 26 of the Act provides that:—

- (2) Nothing in this section shall be deemed to prohibit—  
 (a) any act done by permission in writing of the Forest Officer, or under  
 (b) any rule made by the Government; or  
 the exercise of any right continued under clause (c) of sub-section (2)  
 of section 15, or created by grant or contract in writing made by or  
 on behalf of the Government under section 23.

The rule 24 of this part and rule 12 of part V provide details necessary in this regard.

24. Protection against fire :—(1) No person shall kindle, keep or carry any fire except at such places as may from time to time be notified locally by the Divisional Forest Officer.

(2) No person shall kindle, or leave any fire burning on a public path which adjoins or passes through a Reserved Forest but does not form part of such forest.

(3) No person shall ignite any material for making a fire within 200 yards of the boundary of a Reserved Forest unless between such boundary and the spot on which such material is ignited a space of 25 ft. in width is kept clear of vegetation capable of carrying fire from such spot to the forest, and such other precautions, such as employing watchers, as are reasonably necessary to prevent fire from spreading into the forest are taken.

(4) Except for the purpose of making ash-manure no fire shall be kindled elsewhere than a place used as a human dwelling within a distance of 200 yards of the boundary of a Reserved Forest, without the previous written permission of the Forest Officer not lower in rank than a Range Officer.

(5) No person shall kindle any fire or leave any fire burning at any place which is at a distance less than 200 yards from the boundary of a Reserved Forest but from which the fire may by natural means spread into the forest unless he takes precautions by clearing a fire path not less than 25 ft. in width between such place and such boundary, by employing watchers or otherwise to prevent fire from spreading into the forest.

(6) This rule shall not operate except during the period commencing the 15th July and ending the 30th September.

## IX

## Penalties

25. Penalties :—(1) Any contravention of the rules 3, 4, 7, 9, 10, 13, 14, 16, 17, 18, 19, 20, 21, 22, 24 shall upon conviction by a Magistrate be punishable with imprisonment for a term which may extend to six months or five which may extend to five hundred rupees or both.

*Commentary*  
 The breach of rules has been made penal under sub-section (2) of section 26 A of the Act which reads as under :—

(2) The Government may prescribe as penalties for the contravention of any rules made under this section, imprisonment for a term which may extend to six months or fine which may extend to five hundred rupees or both.]

By Order of the Governor,

R. H. HAWA.

*Secretary to the Government.*

### FORM I

Forest Department, Rajasthan.

.....Range.....Division.

*Permit Clearance.*

*(Rule 2).*

Permit No..... Date.....

Subject to the provisions of the Rajasthan Forest Act, 1953 and the rules made thereunder, permission is hereby granted to Shri..... son of ..... of ..... to make fresh clearance over ..... acres for cultivation or for ..... in ..... Block ..... Range.....Division.....

### FORM II

Forest Department, Rajasthan.

.....Range.....Division.

*Permit for extension of shifting cultivation.*

*(Rule 3).*

Permit No..... Date.....

Subject to the provisions of the Rajasthan Forest Act, 1953 and the rules made thereunder, permission is hereby granted to Shri..... son of ..... of ..... to extend shifting cultivation over ..... acres in ..... Block ..... Range.....Division.....

Divisional Forest Officer.

### FORM III

Forest Department, Rajasthan.

*Permit for Grazing*

*(Rule 9)*

Permit No..... Date.....

Block of ..... Range.....Division  
From..... to.....

Name	Residence	No. & description of animals per- mitted to graze	Fees paid	Remarks.
			Rate Amount	

**Note :**

This permit is granted subject to the provisions of the Rajasthan Forest Act, 1953 and the rules framed thereunder, any breach of which will render the offender liable to the prescribed penalties.

\*It is also subject to the conditions which are printed on the reverse and any breach of any of these conditions will render the permit *if so facto null and void* and will render permit holder liable to penalties under the Forest Act to the same extent and in the same manner as if he had possessed no permit.

Date..... Signature of the Range Officer.

(1) There shall be one herdsman for every 20 herds of cattle or part thereof.

(2) The cattle covered by this permit shall invariably be accompanied by and be in charge of the owner or some herdsman or servant of the owner.

(3) The owner or herdsman or servant accompanying and in charge of the cattle shall invariably have with him this permit and shall produce it for inspection on demand by any Forest Officer.

(4) If any grazier causes damage to trees his permit shall be liable to cancellation.

(5) No cattle shall be penned within forest except under a written permission of the Divisional Forest Officer.

(6) No cattle shall be allowed within specially protected areas or grazing areas closed under authority.

(7) Government reserve the right to burn any part or all of the area covered by the permit, whenever it is found necessary to do so, as a protective measure against fires, and no compensation will be granted for any loss sustained by permit holder through such burning.

**FORM IV**

Forest Department, Rajasthan.

.....Range .....Division

*Form of Permit for removal of Forest Produce.*

*(Rule No. 10 and 13)*

Permit No ..... Date.....

- (i) Name and address of the Permit Holder.....
- (ii) Description of the forest produce for which permit is granted.....
- (iii) The name of the Block and Compartment from which the forest produce will be extracted .....
- (iv) Fees paid, if any.....
- (v) Facsimile of the property mark, on timber, if any.....
- (vi) Destination of the forest produce.....
- (vii) Period for which the permit is valid.....
- (viii) Route through which export is permitted .....
- (ix) Other conditions, if any.....

Date..... Signature of the Range Officer.

## FORM V

Forest Department, Rajasthan.

..... Range..... Division

*Permit lopping, felling, uprooting trees.*

(Rule 18)

Permit No ... .....

1. Name parentage and residence of the person to whom the permit is granted.....
2. Number and species of trees for which permit has been granted.....
3. Amount of royalty paid.....
4. Block and Compartment for which permit has been granted.....
5. Period for which the permit is val d..... .....
6. Other conditions, if any.....

Range Officer.

By Order of the Governor,

R. N. HAWA,

*Secretary to the Government.*

# RAJASTHAN PROTECTED FOREST RULES, 1957

## Notification

*Jaipur, January 28, 1958.*

No. F. 34 (44) Rev. A/53.—In exercise of the powers conferred by section 32 of the Rajasthan Forest Act, 1953 (Act No. XIII of 1953), the Governor of Rajasthan is pleased to make the following rules, namely:—

1. (a) *Title and commencement.*—These rules shall be called the Protected Forest Rules, 1957, and shall come into force on their publication in the Gazette.

(b) *Interpretation.*—In these rules, “Form” means a form appended to these rules.

### Commentary

Section 29 (1) of the Act provides that:—

(1) “The Government may, by notification in the Rajasthan Gazette, declare the provisions of this Chapter applicable to any forest land or waste land which is not included in a reserved forest, but which is the property of Government, or over which the Government has proprietary rights, or to the whole or any part of the forest produce of which the Government is entitled.”

The forest lands and waste lands comprised in any notification under sub-section (1) of Section 29 of the Act are to be called Protected Forest.

Section 32 of the Act authorises the Government to make rules for regulating the following matters concerning Protected Forest:—

- (a) the cutting, sawing, conversion and removal of trees and timber and the collection, manufacture and removal of forest produce, from protected forests;
- (b) the granting of licences to the inhabitants of towns and villages in the vicinity of protected forests to take trees, timber or other forest produce for their own use, and the production and return of such licences by such persons;
- (c) the granting of licences to persons felling or removing trees or timber or other forest produce from such forests for the purposes of trade, and the production and return of such licences by such persons;
- (d) the payment, if any, to be made by the persons mentioned in clauses (b) and (c) for permission to cut such trees or to collect and remove such timber or other forest produce;
- (e) the other payments, if any, to be made by them in respect of such trees, timber and produce, and the place where such payment shall be made;
- (f) the examination of forest produce passing out of such forests;
- (g) the clearing and breaking up of land for cultivation or other purposes in such forests;
- (h) the protection from fire of timber lying in such forests and of trees reserved under section 30;
- (i) the cutting of grass and pasturing of cattle in such forests;

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*These rules have been first published in Rajasthan Raj-patra, dated February 20, 1958, in Part IV (c) at page 1021.*

- (j) hunting, shooting, fishing, poisoning water and setting traps or snares in such forests;
- (k) the protection and management of any portion of a forest closed under section 30; and
- (l) the exercise of rights referred to in section 29.

These rules have been framed in pursuance of the powers conferred under Section 32 of the Act and provide for the requisite details.

||

*Rule for cutting, sawing, conversion, and removal of trees and timber and the collection, manufacture and removal of forest produce from protected forests.*

2. *Cutting.*—No person shall fell, girdle, lop, top, uproot, burn, strip off bark or leaves, saw, convert, remove, fashion, manufacture, collect and export any tree, timber or other forest produce from any Protected Forest, except in accordance with these rules, and with the conditions express or implied of any contract given by the State Government for the removal of Forest produce.

3. *Protected trees.*—The following trees shall not be felled, girdled, lopped, topped, uprooted, burnt, or their bark or leaves stripped off except with the written permission of the Divisional Forest Officer, namely :—

(a) *Trees marked as standards.*—Such trees shall have some distinctive marks, such as coaltar rings.

(b) Kadaya, Khair, Aam, Mahuwa, Bahera, Aonla, Beela, Chandan, Achar, Jamun, Semal, Bad, Pipal, Imli, Tendu, Bans, Kadam, Neem, Salar, Khirni.

4. *Manner of cutting.*—(a) Felling shall be started systematically from one end of the coupe and not haphazard.

(b) Cutting shall be done with sharp axe or saw as near to the ground as possible.

(c) Stumps shall not be more than 6" in height and shall be dressed in such a manner that rainwater does not collect.

(d) No tree shall be felled, the felling of which is likely to cause erosion or land slide.

(e) Pits for sawing shall be dug in such places and in such manner as to cause the least amount of damage to the forest growth. When the sawing is finished, the saw pits shall be refilled by the sawyers.

(f) No tree or timber shall be dragged or滑ed except under the written permission of the Divisional Forest Officer concerned.

5. *Charcoal.*—Charcoal shall be burnt only in places pointed out for the purpose by the Divisional Forest Officer or any other officer authorised by him in this behalf.

6. *Felling in night.*—No forest produce shall be felled, converted or extracted from the forest between half an hour after sunset and an hour before sun-rise. Burning of charcoal or boiling of Katha chips may, however, proceed throughout the day and night.

7. *Removal.*—All forest produce removed from the protected forest shall be in accordance with a permit issued in the Form I and shall pass through *chowkies/nakas* specified in the perinit.

8. *Uprooting.*—No tree shall be uprooted unless specifically permitted by the Divisional Forest Officer and expressly provided in the terms of sale.

9. *Marking by purchaser.*—All timber, converted or unconverted, fashioned or unfashioned, shall be marked with duly registered p operty hammer by the purchaser before extraction outside the limits of the coupe.

### III

*Rules for the regulation of the grant of permits and licences to the inhabita its of towns and villages in the vicinity of Protected Forests to take trees, timber or other forest produce for their own use and the production and return of such licence by such persons.*

10. *Licence for personal use.*—No person shall cut, convert, fashion, remove or extract any tree or timber or any other forest produce from any protected forest for his own use without obtaining a licence from the Range Officer or any other subordinate officer empowered by him in this regard.

11. *Licence Form.*—The licence shall be in Form II and shall be produced for inspection on demand by any forest or Police Officer.

12. *No sale.*—The holder of a licence shall use the tree, timber and/or other forest produce for his own agricultural or domestic purpose and shall not sell such produce.

13. *Payment for forest produce.*—All payments in respect of a tree, timber, and/or other forest produce shall be made in advance at the office from which the licence is issued.

14. *Rates of Payments.*—Payment shall be made in accordance with the rates specified for any area by the Government from time to time for such trees, timber and/or other forest produce.

15. *Carrying of the produce.*—All trees timber and other forest produce extracted by the licence holder shall pass through the *chowkies/nakas* specified by Divisional Forest Officer. The licence shall be endorsed by the *check moharrir* or *nakedar*, entering the description of the produce together with the time of its removal.

Any forest produce covered by any licence but not endorsed by the *check moharrir* or *nakedar* shall be deemed to have been extracted without any authority and shall be subject to seizure and confiscation.

16. *Katha and Lime.*—No person shall boil katha or burn lime in the forest except in such p'aces as may be pointed out for the purpose by the Range Officer or any officer subordinate to him and authorised by him in this behalf.

## IV

*Regulation of clearing and breaking of land for cultivation or other purposes in the Protected Forests.*

17. *Clearance.*—No person shall clear or break up any land for cultivation or other purposes in a Protected Forest except under the terms of a *Patta* granted by the Divisional Forest Officer in the Form III.

## V

*Protection from fire of timber lying in a Protected Forest and of trees reserved under section 30 of the said Act.*

18. *Fire.*—(1) No person shall kindle, keep or carry any fire in a Protected Forest except at such places as may from time to time be notified locally by the Divisional Forest Officer,

(2) No person shall kindle, carry or leave any fire burning on a public path which adjoins or passes through a Protected Forest but does not form part of such forest.

(3) No person shall ignite material for making a fire within 200 yards of the boundary and the spot on which such material is ignited a space of 25 ft. in width shall be kept clear or vegetation capable of carrying fire from such spot to the forest, and such other precautions such as employing watchers shall be taken as are reasonably necessary to prevent fire from spreading to the forest.

(4) Except for the purpose of making ash-manure no fire shall be kindled elsewhere than a place used as a human dwelling within a distance of 200 yards of the boundary of a Protected Forest, without the previous written permission of the Forest Officer not lower in rank than that of a Range Officer.

(5) No person shall kindle any fire or leave any fire burning at any place which is at a distance less than 200 yards from the boundary of a Protected Forest but from which the fire may be natural means spread to the forests unless he takes precautions, by clearing a fire path not less than 25 ft. in width between such place and such boundary by employing watchers or otherwise to prevent fire from spreading to the forest.

(6) This rule shall not operate during the period commencing from 15th July and extending to 30th September.

## VI

*Cutting of grass and pasturing of cattle.*

19. *Grass cutting.*—(1) No person shall pasture cattle or cut grass in a Protected Forest except in such parts of that forest as are opened from time to time for grazing or grass cutting.

(2) No person shall graze cattle without payment of fees prescribed for any area by the Government from time to time and without a permit issued in Form IV by the Range Officer.

(3) This rule shall not apply to rights and concession holders who will be regulated by the rules for the exercise such rights, and concessions

## VII *Penalties*

20. *Penalties.*—Any contravention of the rules 2 to 10 and 15 to 19 shall upon conviction by a Magistrate be punishable with imprisonment for a term which may extend to six months or fine which may extend to five hundred rupees or both.

Section 33 of the Act providing for penalties reads as under—

- (1) Any person who commits any of the following offences, namely :—
  - (a) fells, girdles, lops, taps or burns any tree reserved under section 30, or strips off the bark or leaves from or otherwise damages, any such tree;
  - (b) contrary to any prohibition under section 30, quarries any stone, or burns any lime or charcoal or collects, subjects to any manufacturing process, or removes any forest produce;
  - (c) contrary to the prohibition under section 30, breaks up or clears for cultivation or any other purpose any land in any protected forest;
  - (d) sets fire to such forest or kindles a fire without taking all reasonable precautions to prevent its spreading to any tree reserved under section 30, whether standing, fallen or felled or to any closed portion of such forest;
  - (e) leaves burning any fire kindled by him in the vicinity of any such tree or closed portion;
  - (f) fells any tree or drags any timber so as to damage any tree reserved as aforesaid;
  - (g) permits cattle to damage any such tree;
  - (h) infringes any rule made under section 32;

shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees or with both.

(2) Whenever fire is caused wilfully or by gross negligence in a protected forest, the Government may, notwithstanding that any penalty has been inflicted under this section, direct that in such forest or any portion thereof the exercise of any right of pasture or to forest produce shall be suspended for such period as it thinks fit, but no such order shall be passed without affording the persons concerned an opportunity to represent their case.

By Order of the Governor,  
R. N. HAWA,  
*Secretary to the Government.*

### FORM I Forest Department, Rajasthan.

..... Range ..... Division.

Form of Permit for removal of Forest Produce from Protected Forest (Rule 7).

Permit No ..... Date .....

- (i) Name and address of the Permit Holder .....
- (ii) Description of the Forest produce for which permit is granted.....
- (iii) The name of the Block and Compartment from which the forest produce will be extracted.....

- ( iv ) Fees paid, if any .. ....
- ( v ) Facsimile of the property mark, on timber, if any.....
- ( vi ) Destination of the Forest produce.....
- (vii) Period for which the permit is valid.....
- (viii) Route through which export is permitted.....
- ( ix ) Other conditions, if any,.....

Camp.....  
Date.....

Signature of the issuing officer.

### FORM II

*Forest Department, Rajasthan.*

Licence for extraction of Forest produce for personal use  
vide rule 11.

- |  |           |
|--|-----------|
| Licence No.....  | Date..... |
| Name and Address of the Licence Holder.  |           |
| Description, quality and purpose for which permit for the forest<br>produce is given.....                    |           |
| Fees paid, if any .. ....  |           |
| Block and Compartment for which the permit is issued.....  |           |
| Destination of the produce.....  |           |
| Route alongwith names of <i>chokies</i> and <i>nakas</i> through which the<br>produce will be exported ..... |           |
| Period for which the permit is valid.....  |           |
| Other conditions, if any.....  |           |
| Place.....   |           |
| Date.. ..  |           |

Signature and designation of  
issuing officer.

Signature of Check Moharrir.

*Note:*—The above licence is issued subject to the provisions of the  
Rajasthan Forest Act, 1953 and the rules framed thereunder.

### FORM III

*Forest Department, Rajasthan.*

Patta for cultivation.  
(Rule 17)

Patta No..... Date.....

Subject to the conditions of the Rajasthan Forest Act, 1953  
and the rules framed thereunder, permission is hereby granted to  
Shri..... son of..... to clear or break up  
forest land for cultivation or ..... in ..... Forests  
Block..... Compartment... Range..... Division.....

This permit is valid for..... months from..... to .....

Signature of the Divisional  
Forest Officer.

## FORM IV

*Forest Department, Rajasthan.*Permit for Grazing  
(Rule 19) in Triplicate.Block of ..... Range.....Division.  
From.....to.....

Name.	Residence	No. & description of animals per- mitted to graze.	Fees paid Rate Amount	Remarks.
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*Note*—This permit is granted subject to the provisions of the Rajasthan Forest Act, 1953 and the rules framed thereunder, any breach of which will render the offender liable to the prescribed penalties. It is also subject to the conditions which are printed on the reverse and any breach of any of these conditions will render the permit if so facto null and void and will render permit holder liable to penalties under the Forest Act to the same extent and in the same manner as if he had possessed no permit.

Signature of the Range Officer.

Date.....

- (1) There shall be one herdsman for every 20 herds of cattle or part thereof.
- (2) The cattle covered by this permit shall invariably be accompanied by and be incharge of the owner or some herdsman or servant of the owner.
- (3) The owner or herdsman or servant accompanying and incharge of the cattle shall invariably have with him this permit and shall produce it for inspection on demand by any Forest Officer.
- (4) If any grazier causes damage to trees his permit shall be liable to cancellation.
- (5) No cattle shall be penned within forest except under a written permission of the Divisional Forest Officer.
- (6) No cattle shall be allowed within specially protected areas or grazing areas closed under authority.
- (7) Government reserve the right to burn any part or all of the area covered by the permit, whenever it is found necessary to do so, as a protective measure against fires, and no compensation will be granted for any loss sustained by permit holder through such burning.

# RAJASTHAN FOREST (Produce Transit) RULES, 1957

## NOTIFICATION

*Jaipur, January 28, 1958.*

No. F. 34 (44) Rev. A/53.—In exercise of the powers conferred by section 41 of the Rajasthan Forest Act, 1953 (Act No. XIII of 1953), the Governor of Rajasthan is pleased to make the following rules to regulate the transit of forest produce, namely:—

1. *Title and commencement*—These rules shall be called the Rajasthan Forest (Produce Transit) Rules, 1957, and shall come into force on their publication in the Rajasthan Gazette.

### *Commentary*

Chapter VII of the Rajasthan Forest Act, 1953 makes provisions for control of timber and other forest produce in transit. Section 41 (1) of the Act provides that:—

(1) “The control of all rivers and their banks as regards the floating of timber as well as the control of all timber and other forest produce in transit by land or water is vested in the Government, and it may make rules to regulate the transit of all timber and other forest produce.”

The Government can in exercise of this power make rules to:—

(a) prescribe the routes by which alone timber or other specified forest produce may be imported, exported or moved into, from or within Rajasthan,

(b) prohibit the import or export or moving of such timber or other produce within defined local limits, without a pass from an officer duly authorised to issue the same or otherwise than in accordance with the conditions of such pass;

(c) provide for the issue, production and return of such passes and for the payment of fees therefor;

(d) provide for the stoppage, reporting, examination and making of timber or other forest produce in transit, in respect of which there is reason to believe that any money is payable to the Government on account of the price thereof, or on account of any duty, fee, royalty or charge due thereon, or to which it is desirable for the purposes of this Act to affix a mark;

(e) provide for the establishment and regulation of depots to which such timber or other produce shall be taken by those in charge of it for examination, or for the payment of such money, or in order that such marks may be affixed to it; and the conditions under which such timber or other produce shall be brought to, stored at and removed from such depots;

(f) prohibit the closing up or obstructing of the channel or banks of any river used for the transit of timber or other forest produce, and the throwing of grass, brushwood, branches or leaves into any such river or any act which may cause such river to be closed or obstructed;

(g) provide for the prevention or removal of any obstruction of the channel or banks of any such river, and for recovering the cost of such prevention or removal from the person whose acts or negligence necessitated the same;

(h) prohibit absolutely or subject to conditions within specified local limits, the establishment of sawpits, the converting, cutting, burning, concealing or marking of timber, the altering or effacing of any marks on the same,

or the possession or carrying of marking hammers or other implements used for marking timber;

(i) regulate the use of property marks for timber and the registration of such marks; prescribe the time for which such registration shall hold good; limit the number of such marks that may be registered by any one person, and provide for the levy of fees for such registration.

Section 42 of the Act, reading as under, makes the breach of rules made under section 41 of the Act punishable.

(1) The Government may by such rules prescribe as penalties for the contravention thereof imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees or both.

(2) Such rules may provide that penalties which are double of those mentioned in sub-section (1) may be inflicted in cases where the offence is committed after sunset and before sunrise or after preparation for resistance to lawful authority, or where the offender has been previously convicted of a like offence.

**2. Removal of produce.**—No forest produce shall be moved into or from or within any area in the State of Rajasthan except as hereinafter provided without a pass issued by a forest officer or person duly authorised by or under these rules or otherwise than in accordance with the conditions of such pass or by any route or to any destination other than the route and destination specified in such pass:

Provided that no pass shall be required for the removal of any forest produce which has been extracted from the forest for consumption by any person in exercise of any right or concession granted by the State Government or of any other forest produce, as may be exempted by the State Government from the operation of these Rules.

**3. Passes.**—(1) The following officers and persons shall have the power to issue passes under these rules, namely:—

- (i) (a) Chief Conservator of Forests, Rajasthan.  
 (b) Conservator of Forests.  
 (c) Divisional Forest Officer.  
 (d) Sub-Divisional Forest Officer.

- (ii) Persons specifically authorised by the Government in this behalf by a notification in the Rajasthan Raj-patra.

(2) Every pass issued under these rules shall contain the following particulars, namely:—

- (a) Name of the persons to whom the pass is granted.  
 (b) Quantity and description of forest produce covered by it.  
 (c) Name of the village, Tehsil and District in which the person resides.  
 (d) Place from and to which such forest produce is to be taken or conveyed.  
 (e) The route and the names of *chowkies* and *nakas* by which such forest produce is to be conveyed.  
 (f) The period for which the pass shall be valid.

4. *Fees*.—A pass under rule 2 shall be issued in the Form appended to these rules upon payment of a fee of rupee one.

5. *Means of transport*.—A group of carts, transport, animals, mechanically driven vehicles belonging to or hired by one individual owner may be covered by one single pass provided that the number of such carts, transport, animals or vehicles is clearly recorded in the pass and if such carts, transport, animals or vehicles belong to different owners they shall be accompanied by as many passes as there are owners.

This rule shall not apply to persons holding passes under rights and concessions in whose case one pass shall suffice for a family.

6. *Check posts*.—All forest produce moved into or from the limits of the State of Rajasthan shall pass through a check *choki* (or *naka*) where the transit pass must be produced for inspection and endorsement by the official in-charge of the *Choki*.

7. *Marking*.—All unfashioned timber must be properly marked or braided by a property mark which shall be registered in the office of a Divisional Forest Officer. The registration fee shall be Re. 1/- per property mark or property hammer. The Divisional Forest Officer shall refuse to register a property mark or property hammer which is similar to a property mark or hammer already registered.

A registration of a property mark or property hammer shall hold good only for the period of time for which it has been registered.

8. *Stoppage in transit*.—Any Forest Officer not below the rank of a Forest Guard or any Police Officer not below the rank of a Head Constable may stop, examine, mark and report on timber and other forest produce in transit.

9. *Depots*.—(i) The Conservator of Forests may establish such places as he thinks fit as depots to which the forest produce shall be taken—

(a) for examination prior to the grant of a pass, or

(b) for determining the amount of money, if any, payable to Government, and for the payment of any money so found to be due, or

(c) in order that any mark required by law or these rules is to be fixed thereto may be so fixed.

(ii) The Conservator of Forests shall make known from time to time by notification in the official gazette, and locally in such manner as he deems fit, the names and situation of each depot in his Circle.

(iii) Each depot shall be in charge of an officer appointed by or under the orders of the Conservator of Forests without whose per-

mission no forest produce shall be brought into or removed from the depot.

By Order of the Governor,  
R. N. HAWA,  
*Secretary to the Government.*

FORM I  
(Vide Rule 4)  
*Forest Department, Rajasthan.*

..... Division.

Transit Pass under rule-2

Permit No..... Date .....

Name of the person .. ....

Address.....

Quantity and description of forest produce for which free pass  
is valid .....

Fee paid on.....

Place from and to which such produce is to be taken or  
conveyed.

From ..... to .....

Route through which such forest produce is to be conveyed....

.....

Period for which free pass shall be valid....

Specimen signature of  
the permit holder.

Designation of the Officer,

---

*Note.—The above pass is issued subject to the provisions of the  
Rajasthan Forest Act, 1953 and free rules framed there-  
under.*

# RAJASTHAN FOREST

## (Hunting, Shooting, Fishing & Water Poisoning) Rules, 1957

No F. 39 (2) Rev./A/54.—In exercise of the powers conferred by sections 26 A, 32 and 76 (d) of the Rajasthan Forest Act, 1953 (Act XIII of 1953), the Government of Rajasthan is pleased to make the following rules, viz,—

1. *Short title, extent and commencement.*—(a) These rules shall be called the Forest (Hunting, Shooting, Fishing and Water poisoning) Rules, 1957.

(b) These rules shall apply to the Reserved and Protected Forests of the Pre-Reorganisation State of Rajasthan.

(c) These rules shall come into force upon their publication in the Rajasthan Gazette.

### *Commentary*

Section 26A of the Rajasthan Forest Act, 1953 authorises the Government to make rules for regulating the hunting, shooting, fishing, poisoning water and setting traps or shares in respect of Reserved Forests as determined under the provisions of Chapter II of the Rajasthan Forest Act, 1953.

Act authorises the Govt. to make rules for regulating these very matters in respect of protected forests as defined under the Raj. Forest Act. A power to frame rules generally to carry out the provisions of the Act rate; with the Govt. under sec. 76 of the Act. These rules have been framed by the Govt. in exercise of powers conferred by sec. 26 A & 32 of the Act read with sec. 76 of the Act.

2. *Act prohibited.*—The following acts are prohibited, viz.,—

(1) Poisoning dynamiting rivers and their waters.

(2) Poisoning the carcasses of animals.

Subject to such conditions as may be imposed by the Divisional Forest Officer, the poisoning of carcases of animals killed by a man-eating carnivora or by wild dogs, in order to destroy them will be permissible.

This rule prohibits certain acts relating to the shooting hunting in the reserved and protected forests. The rule also specifies circumstances under which the prohibited acts can be permissible.

(3) (a) Shooting of—

(i) any animal, at any time, from a wheeled vehicle,

(ii) any animal except carnivora, at any time, one hour after sun-set and one hour before sun rise or

(iii) any animal, except carnivora, at any time, by an artificial light.

### *Commentary*

Clause (a) of sub-rule (3) of rule 2 as at present has been newly substituted for the previous one vide Notification No. D. 956/F. 39 (2) Rev./A/54 dated March 19, 1959, published in Rajasthan Raj-patra, part iv (c) dated April 16, 1959. Previous sub-clause (a) read as under:—

(a) Shooting of animals, except carnivora, either by any artificial light or from any wheeled vehicle propelled by any animal or by mechanical means, one hour after sun set and one hour before sun-rise.

(b) Shooting of carnivora after sun-set without suitable lighting arrangements.

(4) Searing of or running with dogs after animals.

(5) Watching in the neighbourhood of water or salt licks between sun-set and sun-rise in order to shoot an animal, except carnivora, resorting to such places.

(6) Erection of dams, weirs or fixing traps for diversion of streams for the purpose of catching or driving of fish.

(7) Setting of snares and traps except with the written permission of the Divisional Forest Officer.

(8) Hunting or shooting of animals or fishing, except—

(a) by a person holding a permit granted by the Divisional Forest Officer; in accordance with the conditions of such permit:

(b) by persons permitted under the orders of Government to hunt or shoot or fish without a permit;

(c) by a person authorised by the Divisional Forest Officer to destroy—

(i) man-eating carnivora anywhere; or

(ii) habitual cattle killing carnivora doing damage near a habitation or cattle station;

Provided that licences for the destruction of man-eaters and cattle lifting carnivora in the Gram Sanctuaries notified as such by the State Government from time to time shall be issued only by the Chief Conservator of Forests in consultation with the Chairman of the State Board for the Preservation of wild Life;

Provided further that in an emergency, the District Magistrate may issue a permit for the destruction of a declared man-eater or a cattle lifting carnivore in a Game Santuary referred to above, but in that case the animal shall be destroyed by a person other than the District Magistrate issuing the licence and intimation of the issue of such a licence shall be sent immediately to the Chief Conservator of Forests, and the Divisional Forest Officer concerned.

*Commentary*

) Proviso to clause (c) (ii) of sub-rule (8) of rule 2 has been newly added vide Notification No. F. 10 (5) Rev /A/59 dated July 14, 1960 published in Rajasthan Raj patra part iv (c).

(d) by a person authorised by the Divisional Forest Officer to destroy pests and vermins as defined from time to time by the Conservator of the Circle.

(9) Using of net of less than  $1\frac{1}{2}$ " mesh for catching fish in any river or stream or lake; or

(10) Netting during the spawning period of the fish.

3. *Santuaries*.—The Chief Conservator of Forests, may with the previous sanction of the Government, and by a notification in the Gazette prescribed for a fixed number of years, sanctuaries wherein all hunting, shooting and netting shall be absolutely prohibited and such prohibition shall extend to all persons except those especially exempted by Government.

**4 Formation of Blocks** —The Chief Conservator of Forests shall divide the Reserved and Protected forests into different shooting blocks and fix the number of any species that may be shot in any one block and restrict shooting so as to prevent the number so fixed being exceeded. These restrictions shall apply to both permit holders and exempted persons but shall not apply to the Rulers of the Covenanting States of Rajasthan and their families in respect of the areas in which they have exclusive shooting rights.

**5. Permits.**—Subject to rule 4 and to the general control of the Conservator of Forests, permits of the following descriptions may be granted by the Divisional Forest Officer for the area in the blocks in his charge in the forms annexed to these rules, viz. —

(a) A permit in Form 'A' allowing the permit holder to hunt or shoot any birds or animals and to fish with rod and line. The permit shall include all game birds, ground game and fish

(b) A permit in Form 'B' allowing the holder to fish with rod and line.

(c) A permit in Form 'C' allowing the holder to shoot game birds and ground game in the area in which permit in Form 'A' is not in force. Ground game will include the following:—

Hares,

Porcupines,

Hedge-hogs, and

Vermes of all kinds.

(d) A permit in Form 'D' under rule 7 (c):

Provided that the Chief Conservator of Forests may issue shooting permits for any shooting block and direct the Divisional Forest Officer not to issue permits in respect of that blocks.

*Commentary*

The rule 2 of these Rules provides for prohibited acts in respect of hunting, shooting, fishing etc. There are however circumstances under which these can be made permissible by the Forest Officers. This rule prescribes the nature and particulars of permit so granted. The grant of permit is however subject to rules and to the general control of the conservator of Forests.

Proviso to rule 5 has been newly added vide Notification No. F. 10 (34) Rev./A/59 dated February 12, 1959.

**6. A permit should be granted on the following conditions.—**

(i) Any person may obtain a permit under these rules either for himself or for his party, but fee shall be paid for each member of the party;

*Commentary*

Words and figures "which shall not consist of more than 3 members" previously occurring between the words "for his party" and "but fee shall be paid" have now been omitted vide Revenue 'A' Department Notification No. F. 10 (29) Rev./A/59 dated February 8, 1960, published in Rajasthan Raj patria, part iv (c) dated July 14, 1960.

(ii) All permits are personal and non-transferable.

(iii) Every person to whom a permit has been granted shall, on demand by any Forest or Police Officer or any person authorised in this behalf by the State Government, produce it for inspection. The names of the persons so authorised by the State Government will be notified to the permit holders when the permits are issued.

(iv) The permit granted by the Divisional Forest Officer shall be valid only for the shooting block detailed therein PROVIDED that wounded game may be pursued in the adjoining areas whether being block or not.

(v) The permit may be cancelled at any time without assigning any reason by the Conservator of Forests or the Divisional Forest Officer, if the circumstances render it advisable. On cancellation of the permit, the permit holder and his party, if any, shall leave the shooting block within the shortest possible time.

(vi) The permit holder is personally responsible to see that the members of his party and camp followers and servants observe the forest laws and rules and all the conditions of the permit. If the Divisional Forest Officer considers that the permit holder or any member of the party of camp follower or servant of the permit holder has committed wilfully any breach of the rules, laws or conditions of the permit, he may cancel the permit. The party shall thereupon quit the area with the last possible delay.

(vii) The holder of a permit shall encamp only in such camping grounds as are entered in the permit or have been set apart by the Forest authorities or in places subsequently pointed out to him by a forest official.

(viii) The holder of a permit shall not shoot at nor allow any one with him to shoot at an animal or a bird the shooting of which is not permitted by the terms of the permit. The Divisional Forest Officer when granting a permit may give the holder a special permit to shoot birds and small mammals required by him for the purposes of study of natural history.

(ix) The holder of a permit shall not shoot at nor allow any one with him to shoot at more than the number of heads of any species entered in the permit.

In every case of infringement of this condition, the trophy shall be confiscated, in addition to the penalty that may be imposed by the competent authority, in consideration of the merits of each case;

#### Notes

Sentences appearing in brackets at the end of clause (ix) of rule 6 has been newly added vide the same notification dated February 8, 1960 referred to above.

(x) The Divisional Forest Officer shall enter in the permits the following :-

(a) In the permits in Form 'A' and 'C' the maximum number of persons entitled to shoot in addition to the permit holder. The permit is valid only for the holder and for the members of his party mentioned in the permit. Ordinarily no fee will be charged for any retainer or servant, but if any of them actually takes part in the shooting, the prescribed fee shall be paid for him.

(b) The maximum number of retainers or followers, and beaters, also the number of dogs and other animals which the permit holder is permitted to take.

(c) The maximum number of elephants which the permit holder may take into the forest and the quantity of fodder which he may obtain from the forest. The maximum number so entered in the permit shall not be exceeded.

(xi) The fee for elephants will be Rs.3/- per elephant per day.

(xii) As soon as possible after the date of the expiry of the permit, or after the permit holder has left the area, the Divisional Forest Officer shall give to the permit holder a statement of dues from him under these rules, after deducting such amounts as may have been paid in advance, and the amount shall be paid within one month of the date of expiry of the permit, failing which it shall be recoverable under section 82 of the Rajasthan Forest Act, 1953 (Act XIII of 1953) as if it were an arrear of land revenue.

(xiii) On the permit holder vacating the shooting area for which he holds a permit he shall return his permit to the Divisional Forest Officer after entering on it the fees due from him under the Rules for elephants and extra guns, the number of the species of all animals and birds killed by him and his party, and the dimensions of the heads and skins, the size and weight of fish caught, and other particulars of interest to sportsmen for record in the collection of trophies.

(xiv) Permits in Forms 'A' and 'C' will be issued for a period of 15 days during the second fortnight of the month only, the first fortnight being treated as rest period provided that the permit holder and his party shall observe the close season of birds and animals as entered in the permit.

Provided that if any shooting block remained vacant in the Second Fort-night of the previous month permit may be issued for the first fortnight of the following month, in which case no other

permit shall be issued for that block for the Second Fortnight of the same month and normal closure will be applied from the first fortnight of the following month.

*Notes*

Proviso to clause (xiv) of rule 6 has been newly added vide Revenue A' Department Notification dated August 12, 1961.

(xv) The permit holder and its party shall shoot only the edible birds and animals as entered in the permit, and birds of prey and vermin.

(xvi) The permit holder and his party shall not, without the special permission of the Divisional Forest Officer, endorsed on the permit, shoot the females of deer or antelope or male without horns or with horns in velvet.

(xvii) Permit in Form 'C' will not be issued for the period from 1st April to 14th September.

(xviii) The conservator of Forest may limit the number of permits in Forms 'A', 'B' & 'C' which may be in force in any shooting block in his Circle at any one time.

(xix) A forest official may be appointed to show the permit holder the boundary of the shooting block within which he has been permitted to shoot and to accompany the party if deemed advisable by the Divisional Forest Officer.

A permit granted under rules 2 and 5 is to be granted on the conditions mentioned in this rule.

7. *Fees of the permits.*—The following fees shall be paid in advance for permits :—

In Form 'A'

(i) for 15 days or less by

(a) Indian Citizens or Heads of foreign diplomatic corps in India.	}	Rs. 20/- per gun for the original Permit holder and Rs. 10/- per extra gun.
(b) Foreign tourists payable by a Shikar Agency or Ex-Ruler.		Rs. 500/- per gun.
(c) Other foreigners		Rs. 200/- per gun.
(ii) for the whole year excepting close season.		Rs. 230/- per gun.

## Notes.

Present item No. (i) to sub-rule (a) of rule 7 has been substituted for the previous one vide Revenue 'A' Department Notification No.F 17 (5) Rev./A/58 dated May 2, 1961. Previously item No. (i) appeared as under :—

(i) for 15 days or less :—

By Indian citizen Rs. 20/- per gun.

**By Foreigners** Rs. 100/- per gun.

The following additional fees shall be paid by the permit holder for each tiger, panther, leopard or bear shot by him or any member of his party.

for each tiger shot. Rs. 75/-/-

for each panther or leopard shot. Rs. 35/-/-

for each bear shot. Rs. 50/-/-

In Form 'B'

(i) for one month Re. 1/- per rod line.

(ii) for whole year Rs. 10/- ,

### In Form 'C'

(i) for a period not exceeding

15 days. Rs. 10/- per permit.

(ii) Annual permit. Rs. 50/- per permit.

all not refunded.

(b) The fees for permits once paid shall not be refunded.

(c) A comprehensive permit in Form 'D' for a particular

(c) A comprehensive permit in Form 'D' for a period of 15 days may be issued to foreigners on payment of Rs. 150/- per permit. Under this permit the permit holder shall be entitled to shoot all big game, including tiger, panther, leopard and bear, ground game and game birds, but shall observe the current close periods.

8. *Application for a permit.*—Applications for shooting permit shall be decided by drawing lots and the applicants will be informed of the date, time and place of the draw. For the purpose of draw no application shall be valid if received earlier than 1 month and later than 7 days of the day on which the period for which the permit is required begins.

9. *Register of application.*—A register shall be maintained in the office of each Divisional Forest Officer showing for each class of permit :—

- (a) the name of the shooting block for which the application is being made;
- (b) the date of application;
- (c) the date of receipt of application;
- (d) orders passed; and
- (e) the date of the orders.

10. *Limit of big game*—Subject to the modifications recommended by the State Wild Life Preservation Board the maximum number of big game that may be shot by any general permit holder annually will be as follows :—

Tiger	One
Panthers or Leopards	Two
Sambhars	One
Cheetal	One
Chinkara	Six
Black buck	Two

11. *Exempted persons*.—The State Government may exempt any person or class of persons from the payment of fees for the permit, but in case of such person or persons being accompanied by a person or persons not exempted by the State Government payment of the prescribed fee shall be made for each such person.

*Notes*

Present rule 11 has been newly substituted for the previous one vide the same notification dated February 8, 1960 referred to above.

12. *Exempted persons to furnish returns*.—Exempted persons shall also furnish returns as are furnished by a permit holder to the Divisional Forest Officer, shooting area on the last day of every month, so that a record of all species of birds and animals killed by them may be kept.

13. *Special permits*.—Subject to the general control of the Chief Conservator of Forests, permit for netting and trapping wild birds and animals may be granted by the Divisional Forest Officer for any of the following purposes :—

- (a) Research.
- (b) Collection of specimens for zoological gardens and other educational institutions.
- (c) To holders of licences for trading in wild birds and animals as domestic pets.

By Order of the Governor,  
R. N. HAWA,

Secretary to the Government.

58B ] Hunting, Shooting, Fishing & Water poisoning Rules, 1957 [ Form A  
FORM 'A'

(Permit for Hunting, shooting and Fishing with rod and line vide rule 5 of the Rajasthan Forest (Hunting, Shooting, Fishing and Water poisoning Rules, 1957)

Permit No..... Dated the .....day of .....195...

Subject to the provisions of the Rajasthan Forest Act, 1953 and the rules made thereunder and in consideration of the payment of..... as fees, permission is hereby granted to Shri ..... of ..... extra guns .....followers .....beaters .....dogs .....other animals, and..... Elephants.....to hunt, shoot and fish with rod and line within .....Shooting Block of the.....Range of the.....for a period of 15 days from .....

The maximum number of the following species allowed to be shoot under this permit is as follows :—

Sl. No.	Species	No.
1		
2		
3		

The permit holder shall camp at..... and return the permit to..... after completing the return as per condition No.....

Specimen signature of the  
Permit holder

Signature of the  
Divisional Forest Officer

(Return form to be filled in by permit holder).

No. of elephants.	No. of extra guns.	Species.	No. shot.	Place & Date of shooting.	Size of trophy.	Amount due.	Remarks.
1	2	3	4	5	6	7	8

I hereby declare that the information shown above is correct and that no other game was killed by me or any party during the period of the permit.

Date.....

Permit holder's signature

Note:—Any Forest Officer not below the rank of a Forest Guard may inspect this permit.

### FORM 'B'

(Permit for Fishing with Rod and Line vide rule 5, of the Rajasthan Forest (Hunting, Shooting, Fishing and Water poisoning) Rules, 1957).

Licence No.                      Dated the                      day of                      195 ..

Subject to the provisions of the Rajasthan Forest Act, 1953 and the rules made thereunder and in consideration of the payment of..... ....as fee, permission is hereby granted to Shri .....of.....to fish with one rod and line in the rivers and streams within the reserved and protected forests of .. .....Range of the..... Division for the period of .....from the..... to .....

Specimen Signature of the  
Permit holder.

Signature of the  
DIVISIONAL FOREST OFFICER.

Note:—Any Forest Officer not below the rank of a Forest Guard may inspect this permit.

### FORM 'C'

(Permit for Shooting Game Birds and Ground Game vide rule 5 of the Rajasthan Forest (Hunting, Shooting, Fishing and Water poisoning) Rules, 1957).

Licence No.                      Dated the                      day of                      195

Subject to the provisions of the Rajasthan Forest Act, 1953 and the rules made thereunder and in consideration of the payment of..... ....as fees, permission is hereby granted to Shri.....with extra guns.....followers.....beaters,.....dogs.....other animals to hunt and shoot game birds and ground game within.....reserved or protected forest of.....Range of.....the Division for the period of.....from the.....to the.....

This does not entitle the permit holder to hunt or shoot in a shooting block for which permit in Form 'A' has been issued.

The permit is to be returned to.....with a list of birds and grounds game shot.

Specimen Signature of the  
Permit holder.

Signature of the  
DIVISIONAL FOREST OFFICER.

*Note:*—Any Forest Officer not below the rank of a Forest Guard may inspect this permit.

### FORM 'D'

(A comprehensive permit for foreigners, vide rule 5 of the Rajasthan Forest (Hunting, Shooting, Fishing and Water poisoning) Rules, 1957).

Licence No.

Dated the

195 .

Subject to the Provisions of the Rajasthan Forest Act, 1953 and the rules made thereunder and in consideration of the payment of Rs .....as fees, permission is hereby granted to.....  
.....of.....with.....

extra guns.....followers.....beaters.....  
.....dogs.....other animals and.....  
.....elephants to hunt, shoot all big game including tiger, panther, leopard and bear and ground game and game birds and fish with rod and line within .....shooting block of the.....Range of the.....  
.....Divisional for a period of 15 days from the  
.....to.....

The maximum number of the following species allowed to be shot under this permit is as follows:—

Big game	Species	No.
----------	---------	-----

The permit holder shall camp at.....and return the permit to .....after completing the return as per condition No.....

Specimen signature of the  
Permit Holder.

Signature of the  
DIVISIONAL FOREST OFFICER.

(Return form to be filled in by Permit Holder).

No. of elephants.	No. of extra guns.	No. Species.	No. Shot.	Place & Date of Shooting.	Size of trophy.	Amount due.	Remarks.
1	2	3	4	5	6	7	8

I hereby declare that the information shown above is correct and that no other game was killed by me or my party during the period of this permit.

Date

Permit Holder's signature.

**Note:**—Any Forest Officer not below the rank of a Forest Guard may inspect this permit.

### FORM 'E'

(Special permit for netting, trapping and collection of Zoological specimens vide rule 13 of the Rajasthan Forest (Hunting, Shooting, Fishing and Water poisoning) Rules, 1957).

Permit No.                      Dated the                      day of                      195 .

Subject to the provisions of the Rajasthan Forest Act, 1953 and rules made thereunder, and in consideration of the payment of.....as fees, special permission is hereby granted to Shri.....of.....to net and trap wild birds and animals and to collect eggs of birds for—

(a) Research.

(b) Collection of specimen for Zoological gardens or museums or educational institutions.

(c) Trading in Wild Birds and animals as domestic pets.  
within.....reserved or protected forest of the.....  
Range of the.....Division for.....  
days from the... .... to... ....

The maximum number of the following species allowed to be netted or trapped under this permit is as follows:—

S. No.	Species	No.
--------	---------	-----

The permit shall be returned to.....after completing the return.

Specimen signature of the Permit holder.	DIVISIONAL FOREST OFFICER.	Signature of the
---	----------------------------	------------------

(Return to be filled in by Permit Holder).

Species.	Netted or trapped on date.	Place.	Size.	Amount due.
1	2	3	4	5

I hereby declare that the information shown above is correct and that no other animal or bird or fish was trapped or netted by me during the period of the permit.

Permit Holder's signature.

Date .....

**Note:**—Any Forest Officer not below the rank of a Forest Guard may inspect the permit.

### CONDITIONS UNDER WHICH THIS PERMIT IS ISSUED

(i) Any person may obtain a permit under these rules either for himself or for his party, which shall not consist of more than 3 members but shall be paid for each member of the party.

(ii) All permits are personal and non-transferable.

(iii) Every person to whom a permit has been granted shall, on demand by any Forest or Police Officer or any person authorised in this behalf by the State Government, produce it for inspection. The names of the persons so authorised by the State Government will be notified to the permit holders when the permits are issued.

(iv) The permit granted by the Divisional Forest Officer shall be valid only for the shooting block detailed therein provided that wounded game may be pursued in the adjoining areas whether shooting block or not.

(v) The permit may be cancelled at any time without assigning any reason by the Conservator of Forests, or the Divisional Forest Officer, if the circumstances render it advisable. On cancellation of the permit, the permit holder and his party, if any shall leave the shooting block within the shortest possible time.

(vi) The permit holder is personally responsible to see that the members of his party and camp followers and servants observe the forest laws and rules and all the conditions of the permit. If the Divisional Forest Officer considers that the permit holder or any member of the party or camp follower or servant of the permit holder has committed wilfully any breach of the rules, laws or conditions of the permit, he may cancel the permit. The party shall thereupon quit the area with the least possible delay.

(vii) The holder of a permit shall encamp only in such camping grounds as are entered in the permit or have been apart by the Forest authorities or in places subsequently pointed out to him by a forest official.

(viii) The holder of a permit shall not shoot at nor allow any one with him to shoot at an animal or a bird the shooting on which is not permitted by the terms of the permit. The Divisional Forest Officer when granting a permit may give the holder a special permit in Form 'E' to shoot birds and small mammals required by him for the purposes of study of natural history.

(ix) The holder of a permit shall not shoot at nor allow any one with him to shoot at more than the number of heads of any species entered in the permit.

(x) The fee for elephants will be Rs. 3/- per elephant per day.

(xi) As soon as possible after the date of the expiry of the permit, or after the permit holder has left the area, the Divisional Forest Officer shall give to the permit holder a statement of dues from him under these rules, after deducting such amounts as may have been paid in advance and the amount shall be paid within one month of the date of expiry of the permit, failing which it shall be recoverable under section 82 of the Rajasthan Forest Act, 1953 (Act XIII of 1953) as if it were an arrear of land revenue.

(xii) On the permit holder vacating the shooting area for which he holds a permit he shall return his permit to the Divi-

sional Forest Officer after entering on it the fee due from him under the Rules for elephants and extra guns the number of species of all animals and birds killed by him and his party, and the dimensions of the heads and the size and weight of fish caught, and other particulars of interest to sportsmen for record in the collection of trophies.

(xiii) Permits in Forms 'A' and 'C' will be issued for a period of 15 days during the second fortnight of the month only, the first fortnight being treated as rest period provided that the permit holder and his party shall observe the close season of birds and animals as entered in the schedule under section 4 of the Rajasthan Wild Animals and Birds Protection Act, 1951.

(xiv) The permit holder and his party shall shoot only the edible birds and animals as entered in the permit; and birds of prey and vermins.

(xv) The permit holder and his party shall not, without the special permission of the Divisional Forest Officer, endorsed on the permit, shoot the females of deer or antelope or male without horns or with horns in velvet.

(xvi) The conservator of Forests may limit the number of permits in Forms 'A' and 'B' and 'C' which may be in force in any shooting block in his Circle at any one time.

(xvii) Permits in Form 'C' will not be issued for the period from 1st April to 14th September.

(xviii) A forest official may be appointed to show the permit holder the boundary of the shooting block within which he has been permitted to shoot and to accompany the party if deemed advisable by the Divisional Forest Officer.

(xix) The fees for permits once paid shall not be refunded.



**NOTIFICATIONS UNDER  
FOREST ACT**

*Published in Raj. Raj-patra Dated October 24, 1953 Part I at page 834 :*

**FOREST DEPARTMENT.**

**ORDER.**

Jaipur, October 12, 1953.

No. F. 34 (122) Rev./53—In exercise of the powers conferred under section 19 of the Rajasthan Forest Act, 1953, Government are, hereby, pleased to appoint Divisional Forest Officers to appear, plead and act on its behalf before the Forest Settlement Officer or the appellate office court, in the course of any inquiry or appeal pertaining to his area, under this Act.

By Order of  
His Highness the Rajpramukh,  
R. D. MATHUR,  
*Secretary to the Government*

*Published in Raj. Raj-patra Dated September 24, 1955 Part I (a) at page 172 :*

[Authorised by His Highness the Rajpramukh]

Jaipur, September 1, 1955.

No. D. 4892/F. 19 (78) Agr./55.—In exercise of the powers conferred by section 17 of the Rajasthan Forest Act, 1953 (Rajasthan Act XIII of 1953) the Government of Rajasthan hereby appoints the Divisional Commissioners to hear all appeals under section 17 of the said Act, in respect of orders passed by the Forest Settlement Officer in the respective Division under section 11, section 12, section 15 or section 16 of the said Act.

*Published in Raj. Raj-patra Dated 12-5-56 Part I (a) at page 58 :*

**NOTIFICATION.**

Jaipur, April 11, 1956.

No. D. 17920/F. 19 (108) Agr./55—In pursuance of the powers conferred by clause (a) of sub-section (i) of section 68 of the Rajasthan Forest Act 1953 (Raj. Act XIII of 1953) the Government of Rajasthan hereby empowers all Forest officers who are of a rank not inferior to that of a Ranger and are in receipt of a monthly salary of not less than one hundred rupees, to accept from any person against whom a reasonable suspicion exists other than an offence specified in section 62 or section 63 of the said Act, a sum of money not exceeding fifty rupees by way of compensation for the offence which such person is suspected to have committed.

By order of  
His Highness the Rajpramukh  
P. N. KAUL  
*Secretary to the Government.*

*Published in Raj. Raj-patra Dated December 13, 1956 Part IV (c) at page 661*

Jaipur, October 26, 1956.

*Subject:—Delegation of powers to all Forest Officers.*

No. 4965/F 34 (44) Rev. /53.—In exercise of the power conferred by section 72 of the Rajasthan Forest Act, 1953 (Rajasthan Act XIII of 1953), the Government of Rajasthan is pleased to invest all the forest officers not below the rank of a ranger with all the powers mentioned in the said section.

By Order of  
His Highness the Rajpramukh.  
R. N. HAWA.  
*Secretary to the Government.*

*Published in Raj. Raj-patra Dated November 7, 1957 Part IV (c) at page 616 :*

**REVENUE (A) DEPARTMENT  
NOTIFICATION**

Jaipur, October 17, 1957.

No. F. 15 (153) Rev./A/57.—In exercise of the powers conferred by section 17 of the Rajasthan Forest Act, 1953 (XIII of 53) the State Government does hereby appoint all the Collectors in Rajasthan in virtue of their Office to hear appeals against the orders of the Forest Settlement Officer under sections 11, 12, 15 or 16 of the said Act in respect of matters arising within their respective jurisdiction.

By Order of the Governor,  
R. N. HAWA,  
*Secretary to Government.*

*Published in Raj. Raj-patra Dated March 27, 1958 Part IV (c) at page 1092 :*

**REVENUE DEPARTMENT  
NOTIFICATIONS**

Jaipur, February 10, 1958.

No. F. 15 (8) Rev./A/56.—In exercise of powers conferred by clause (c) of sub-section (1) of section 4 of the Rajasthan Forests Act, 1953 (Rajasthan Act No. XIII of 1953), and in modification of all previous notifications issued in this behalf, the State Government hereby appoints all the Forest Settlement Officers, in virtue of their office, within their respective jurisdiction to be the officers, for purposes of inquiry into and determination of rights as required by the aforesaid clause (c) in or over the land or any forest produce thereof, in respect of which a notification has been issued under the aforesaid section.

Jaipur, February 10, 1958.

No. F. 15 (8) Rev./A/56.—In exercise of the powers conferred by sub-section (3) of section 29 of the Rajasthan Forests Act, 1953 (Rajasthan Act No. XIII of 1953), and in modification of all previous notifications issued in this behalf, the State Government hereby

appoints all the Forest Settlement Officers, in virtue of their office, within their respective jurisdiction to be the offices for purposes of inquiry into and record of rights of Government and private persons as required by the said sub-section, in or over the forest land or the waste land, in respect of which a notification has been issued under the said section.

By Order of the Governor,  
R. N. HAWA;  
*Secretary to the Government.*

*Published in Raj. Raj-patra Dated December 18, 1958 Cart IV (c) at page 1263 :*

REVENUE (A) DEPARTMENT  
NOTIFICATION  
Jaipur, November 17, 1958.

No. F. 15 (163) Rev./A/58.—In pursuance of sub-section (3) of section 29 of the Rajasthan Forest Act, 1953 (Act No. 13 of 1953), and in partial modification of notification No. 27165/F. 19 (13) Forest-Agr./55, dated the 10th January, 1956 published in the Rajasthan Rajpatra Part I, dated the 25th February, 1956 at page 1143 and onwards, the Government of Rajasthan does hereby direct that the enquiry into and record of the nature and extent of the rights of Government and of private persons in or over the forest land or waste land of the Ladpura Tehsil in Kota District specified in the aforesaid notification, shall be made jointly by the following officers, as far as may be in the manner provided in sections 6, 7, 8, 10, 11 (1), 12, 13, 14, 17, 18 and 19 of the said Act namely:—

1. Forest Settlement Officer, Kotah.
2. Revenue Settlement Officer Kotah, and
3. Divisional Forest Officer, Kotah.

By Order of the Governor,  
R. K. CHATURVEDI.  
*Secretary to the Government.*

*Notifications Under,*

**Rajasthan Forest (Hunting, Shooting, Fishing and  
Water Poisoning) Rules, 1957.**

*Published in Raj. Raj-patra IV (c) Supp. No. 15 dated 12/7/62 at page 5 :*

Government of Rajasthan Revenue (A) Department  
**NOTIFICATION**

Jaipur, dated the 8th June, 1962.

No.F.10(29)Rev./A/59.—In exercise of the powers conferred by rule 11 of the Forest (Hunting, Shooting, Fishing and Water Poisoning) Rules, 1957 the State Government hereby exempts all the Gazetted Forest Officers on duty from the payment of fees for the Shooting permit.

By Order of the Governor,  
(R. K. Chaturvedy)  
Secretary to the Government,

# Forest (Hunting, Shooting, Fishing and Water Poisoning) Rules, 1957.

(English translation authorised by the Governor.)

Revenue 'A' Department)

Notification

Jaipur, December 27, 1962.

Notification 10 (12) Revenue (A) 62.—In exercise of the powers conferred by sections 26A, 32 and 76 (d) of the Rajasthan Forest Act, 1953 (Rajasthan Act 13 of 1953), the State Government hereby makes the following amendments in the Forest (Hunting, Shooting, Fishing and Water Poisoning) Rules, 1967, herein-after referred to as the said Rules, namely:—

## AMENDMENT

### 1. In rule 2 of the said Rules:—

- (a) in part (i) of sub-clause (a) of clause (3), after the words 'at anytime, from', the commas and the words "or within fifty years of", shall be inserted; and
- (d) in clause (5), the commas and the words "except Carnivora" shall be deleted.

### 2. In rule 3 of the said Rules, the words 'for a fixed number of years', occurring in between the words 'Prescribe' and 'Sanctuaries' shall be deleted.

### 3. In rule 6,—

- (a) the following proviso shall be added to clause (i), namely:—"provided that, before issuing such permit, the Divisional Forest Officer shall satisfy himself that the person applying for permit, or as the case may be, each person constituting his party, holds a suitable weapon for the shoot under proper and valid license."

#### (b) in clause (vi),—

- (i) after the words "the conditions of the permits" the words "and do not engage them in shooting without obtaining a proper permit" shall be inserted;
- (ii) after the words "he may cancel the permit" the following shall be inserted, namely:—

"and may impose a penalty of Rs. 100/-per animal so shot by the member of his party, camp-followers or servants."

- (c) in clause (xiii), after the words 'he shall return' the words "within fifteen days of the expiry of the validity of the permit" shall be inserted; and

2 } Forest (Hunting, Shooting, Fishing and Water Poisoning) Rules, 1957

(d) after clause (xiii), the following new clause shall be inserted as clause (xiii-A), namely:—

"(xiiiA) if the permit is not returned as provided for in clause (xiii), the Divisional Forest Officer may, after giving a reasonable opportunity to the permit-holder of being heard, impose a penalty not exceeding Rs. 50/-.

4. In rule 7 of the said Rules, in sub-rule (a), after part (c) under the heading 'In form 'A' the following shall be inserted, namely:—

"Provided that a professional Shikar agency inviting foreign tourist may be given a permit for one block in any one division for a period of three years on payment of a fee of Rs. 500/-per block per year.

5. For the existing rule 10, the following shall be substituted, namely:—

10. Limit of Big Game.—Subject to the modifications recommended, by the State Wild Life Preservation any general permit-holder per gun per season shall be as follows, namely:—

Tigers	Two.
Panthers or Leopards	Two.
Sloth Bear	One.
Pigs	Two.
Deer	One of each kind excepting the protected species.
Antelope.	One of each kind, excepting the protected species.
Nilgai.	Two.

R. K. CHATURVEDY,  
Secretary to the Government.

[Pub. in Raj. Gaz. Ex. 4(c) Dt. 17-1-63-Page 814-816]

Revenue 'A' Department  
Jaipur, December 4, 1964

Notification No. F. 10 (8) Rev. A/63.—In exercise of the powers conferred by section 26-A, 32 and 76 (d) of the Rajasthan Forest Act, 1953 (Rajasthan Act 13 of 1953), the State Government hereby makes the following amendment in the Forest (Hunting, Shooting, Fishing and Water Poisoning) Rules, 1957, namely:—

After the second proviso to sub-clause (ii) of clause (c) of sub-rule (8) of rule 2 of the said Rules, the following further proviso shall be added, namely:—

"Provided also that the man-eating or cattle-lifting carnivora destroyed, under a licence issued under the first proviso, or a permit issued under the second proviso, shall be the property of the person who was authorised to destroy the carnivora."

[Pub in Raj. Gaz. Ex. 4 (Ga—Dt. 4-3-65—page 806[35] ]

**Forest (Hunting, Shooting, Fishing and Water Poisoning) Rules, 1957 [ 3**

**Revenue (A) Department**

**Jaipur, March 28, 1966.**

**Notification No. F. 17 (5) Rev./A/58.—In exercise of the powers conferred by section 26-A 32 and 16 (d) of the Rajasthan Forest Act, 1953 (Rajasthan Act 13 of 1953), the State Government hereby makes the following amendments to the Forest (Hunting, Shooting, Fishing and Water poisoning) Rules, 1957, namely:—**

**AMENDMENTS**

**In the said rules:—**

**1. in sub-rule (a) of rule 7, for the existing items (i) and (ii) the following shall be substituted, namely:—**

**(i) for 15 days or less by:—**

- |  |  |
|--|--|
| <b>(a)</b> Indian citizens or Heads<br>foreign diplomatic corps<br>in India. | <b>Rs. 50/-per gun for original<br/>holder and Rs. 10/- per extra<br/>gun.</b> |
| <b>(b)</b> Foreign tourists payable<br>by a shikar Agency or<br>Ex Ruler.    | <b>Rs. 500/-per gun.</b>   |
| <b>(c)</b> Other foreigners.   | <b>Rs. 200 per gun.</b>  |

**Provided that a professional Shikar agency inviting foreign tourists, may be given a permit for one block in any one division for a period of three years on payment of a fee of Rs. 500—per block per year.**

**(ii) For the whole year excepting close season.**

**Rs. 200/-per Gun.**

**Additional fees at the rate given below shall be paid in advance for all the animals desired to be shot under the permit. This amount will remain as deposit and will be either adjusted or refunded on receipt of the permit**

For each tiger shot.	Rs. 150/-
For each panther or leopard shot.	Rs. 35/-
For each bear shot.	Rs. 50/-
For each Sambhar shot.	Rs. 50/-
For each Chital shot.	Rs. 30/-
For each pig shot.	Rs. 30/-
For each Nilgai shot.	Rs. , 30/-

## *Notification under*

### **RAJ. FOREST (SETTLEMENT) RULES, 1958**

Notification No F. 11 (218) Rev./A/63.—In accordance with the provisions of rule 4 (ii) of the Rajasthan Forest (Settlement) Rules 1958, the jurisdiction of the Assistant Forest Settlement Officers is fixed as follow:—

#### **Eastern Circle.**

- (1) Assistant Forest Settlement Officer or Baran and Kota Forest Divisions with headquarters at Kota.
- (2) Assistant Forest Settlement Officer for Jhalawar Forest Division Headquarters at Jhalawar.
- (3) Assistant Forest Settlement Officer for Bundi and Tonk Forest Divisions with headquarters at Tonk.

#### **Working Plan Circle.**

- (4) Assistant Forest Settlement Officer for Bharatpur Forest Divisions with headquarters at Bharatpur.
- (5) Assistant Forest Settlement Officer for Jaipur, Ajmer Jodhpur Forest Divisions with headquarters at Jaipur.

#### **Western Circle.**

- (6) Assistant Forest Settlement Officer for Udaipur and Chittorgrah Forest Divisions with headquarters at Udaipur.
- (7) Assistant Forest Settlement Officer for Banswara Forest Division with headquarters at Banswara.
- (8) Assistant Forest Settlement Officer for Sirohi Forest Division with headquarters at Sirohi.

(Rajasthan Gazettee—Part I (Kha) dated—14—11—1963 Page 556.)

*Notification under,*

**Rajasthan Forest Produce Transit Rules, 1957**

*Published in Raj. Raj-patra part IV (c) at page 3 :*

*Jaipur, May 9, 1961.*

No.F.I5 (3) Rev/4/58.—In pursuance of the provisions of Clause (ii) of sub-rule (1) of rule 3 of the Rajasthan Forest Produce Transit Rules, 1957, the State Government hereby authorises the following Officers to issue Transit Passes under the Rajasthan Forest (Produce Transit) Rules 1957, namely:—

1. Forest Rangers.
2. Deputy Rangers.
3. Foresters.
4. Head Guards.
5. Nakedars.

*By Order of the Governor,  
R. K. CHATURVEDY,  
Secretary to the Government.*

## Rajasthan Reserved Forests (Exercise of Rights) Rules, 1960

Revenue 'A' Department

### NOTIFICATION

*Jaipur, January 23, 1961.*

No.F. 15 (197) Rev./A/58/I.—In exercise of the powers conferred by clauses (c) & (d) of section 26 A read with clause (e) of sub-section (2) of section 15 of the Rajasthan Forest Act, 1953 (Act No. XIII of 1953), the State Government is hereby to make Rules the following rules, namely:—

1. *Short title and commencement.*—(1) These rules shall be called the Rajasthan Reserved Forests (Exercise of Rights) Rules, 1960.

(2) They shall come into force at once.

2. *Right of pasture.*—The right to pasture under sections (12) and (14) of the Act shall be subject to the following conditions namely:—

(i) All plantations and felled coupes shall be closed for the exercise of this right until the Forest Officer declare them as open. Normally all felled coupes shall remain closed for a period of 10 years from the year following the year of felling; Provided that not more than one quarter of the area of any Forest Block shall remain closed.

(ii) Grass-Reserves, usually known as *Birs, Jors and Rundhs* in which the right of pasture has been admitted, shall remain closed to grazing from 1st July to 31st October.

3. *Rights to Forest Produce.*—The rights of forest produce under sections 12 and 14 shall be subject to the following conditions:—

(i) No felling, lopping, extraction of leaves, bark and root shall be carried out from 1st May to 31st October, except with the specific permission in writing of the Forest Officer;

Provided that dead, dry fallen fuel wood may be brought in headloads for bonafied domestic needs.

(ii) No grass shall be cut between 1st July and 30th September except with the permission in writing of the Forest Officer.

## Rajasthan Reserved Forests (Commutation of Rights) Rules, 1960

*Jaipur, January 23, 1961.*

No.F.15(197)Rev / A/58/III.—In exercise of the powers conferred by section 16 of the Rajasthan Forest Act, 1953 (13 of 1953), the State Government hereby makes the following Rules namely:—

1. *Title & Commencement.*—(1) These Rules may be called the Rajasthan Reserved Forest (Commutation of Rights) Rules, 1960.

(2) They shall come into force at once.

2. *Commutation of Rights.*—Commutation of all rights under section 16 of the Act shall not exceed 20 times the value of the forest produce at the time of commutation, whether by cash payment or by grant of land.

Provided that commutation of rights on land, by grant of land shall be subject to the condition that the land given in exchange shall not be more than twice the land commuted.

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*Published in Raj. Raj-patra part IV (c) dated April 13, 1961 at page 7 :*

## Rajasthan Reserved Forests (Exercise of concessions) Rules, 1960

*Jaipur, January 23, 1961.*

No.F.15(197) Rev /A/58/V.—In exercise of the powers conferred by section 76 (d) of the Rajasthan Forest Act, 1953 (Act No. XIII of 1953) the Government of Rajasthan is pleased to make the following rules;

1. *Short title & Commencement.*—The Rules shall be called the Rajasthan Reserved Forest (Exercise of concessions) Rules, 1960 and shall come into force upon their publication in the Rajasthan Gazette.

2. *Concession for pasture.*—The concession for pasture under section 29 of the Act shall be subject to the following conditions:—

(i) All plantations and felled coupes shall be closed for the exercise of this concession until the Forest Officer declares them as open. Normally all felled coupes shall remain closed for a period of 10 years from the year following the year of felling;

Provided that not more than one quarter of the area of any forest block shall remain closed.

(ii) Grass reserves, usually known as *Birs*, *Jors* and *Rundhs*, in which the concession for pasture has been admitted, shall remain closed to grazing from 1st July to 31st October.

3. *Concession for Forest Produce.*—The concessions of forest produce under section (29) of the Act shall be subject to the following conditions:—

(i) No felling, lopping, extraction of leaves, bark and roots shall be carried out from 1st May to 31st October except with the specific permission in writing of the forest officer;

Provided that dead, dry, fallen fuelwood may be brought in headloads for bonafide domestic needs.

(ii) No grass shall be cut between 1st July and 30th September, except with the permission in writing of the Forest Officer.

## Rajasthan Protected Forests (Exercise of Rights) Rules, 1960

*Jaipur, January 23, 1961.*

No. F. 15 (197) Rev-/A/58/IV.—In exercise of the powers conferred by section 32 (1) of the Rajasthan Forest Act, 1953 (Act No. XIII of 1953) the Government of Rajasthan is pleased to make the following rules:—

1. *Title and commencement.*—(i) These Rules shall be called the Rajasthan Protected Forests (Exercise of Rights) Rules, 1960.

(ii) They shall come into force at once.

2. *Rights of Pasture.*—The right of pasture under section (29) of the Act shall be subject to the following conditions:—

(i) All plantations and felled coupes shall be closed for the exercise of this right until the Forest Officer declares them as open. Normally all felled coupes shall remain closed for a period of 10 years from the year following the year of felling;

Provided that not more than one quarter of the area of any forest block shall remain closed.

(ii) Grass reserves, usually known as *Birs*, *Jors* and *Rundhs* in which the right of pasture has been admitted, shall remain closed to grazing from 1st July to 31st July to 31st, October.

3. *Rights to Forest Produce.*—The rights to forest produce under section (29) shall be subject to the following conditions:—

(i) No felling, lopping, extraction of leaves, bark and roots shall be carried out from 1st May to 31st October except with the specific permission in writing of the Forest Officer;

Provided that dead, dry, fallen fuelwood may be brought in headloads for bonafide domestic needs.

(ii) No grass shall be cut between 1st July and 30th September except with the permission in writing of the Forest Officer.

## Rajasthan Protected Forest (Exercise of Concessions) Rules, 1960

Jaipur January 23, 1961.

No.F.15(197)Rev./A/58/II.—In exercise of the powers conferred by section 32, sub-sections (a), (b), (c),(d), (e), (f), (i), and (k) of the Rajasthan Forest Act, 1953 (Act No. XIII of 1953), the Government of Rajasthan is pleased to make the following Rules:—

1. *Title and Commencement.*—(i) These Rules shall be called the Rajasthan Protected Forest (Exercise of Concessions) Rules, 1960.

2. They shall come into force upon their publication in the Rajasthan Gazette.

3. *Concession for pasture.*—The concession for pasture under section 29 of the Act shall be subject to the following conditions:—

(i) All plantations and felled coupes shall be closed for the exercise of the concession until the Forest Officer declares them as open. Normally all felled coupes shall remain closed for a period of 10 years from the year following the year of felling:

Provided that not more than one quarter of the area of any forest block shall remain closed.

(ii) Grass reserves, usually known as *Birs*, *Nors* and *Rundhs*, in which the right of pasture has been admitted shall remain closed to grazing from 1st July to 31st October.

4. *Concessions for Forest Produce.*—The concession of forest produce under section 29 shall be subject to the following conditions:—

(i) No felling, lopping, extraction of leaves, bark and roots shall be carried out from 1st May to 31st October, except with the specific permission in writing of the Forest Officer:

Provided that dead, dry, fallen fuelwood may be brought in headloads for bona fide domestic needs.

(ii) No grass shall be cut between 1st July and 30th September except with the permission in writing of the Forest Officer.

*Notifications under*

**RAJASTHAN FOREST ACT, 1953.**

*Published in Raj. Raj-patra part IV (c) dated January 8, 1959 at page 1290*

*Jaipur, December 2, 1958.*

No. D. 20223/F. 15 (Rev.)/A/50-F. 15 (163) Rev. A/58.—In exercise of the powers conferred by sub-section (3) of section 4 of the Rajasthan Forest Act, 1953 (Rajasthan Act No. 13 of 1953), the Government of Rajasthan is pleased to appoint the following officers to perform the duties of a Forest Settlement Officer, for enquiry into and determination of the existence, nature and extent of any rights alleged to exist in favour of any person in or over the land of the Ladpura Tehsil of Kota District comprised within the limits specified under clause (b) of sub-section (1) of section 4 of the said Act in notifications:—

- (1) No. 2459/Forest/1950, dated the 14th July, 1950 published in the Rajasthan Gazette Part I dated the 5th August, 1950 at page 307;
- (ii) No. 2518 (20) Forest/50 dated the 14th July, 1950 published in the Rajasthan Gazette Part I dated the 29th July, 1950 at pages 291 and 292;
- (iii) No. Nil dated nil published in the Rajasthan Gazette Part I dated the 25th February, 1950 at pages 230, 231 and 232; and
- (iv) No. F. 1 (1) Forest/52-750 published in the Rajasthan Rajpatra, Part I, dated the 12th April, 1952 on pages 21 and 22,

as amended from time to time, or in or over any forest produce thereof and to deal with the same as provided in Chapter II of the said Act, namely:—

1. Forest Settlement Officer, Kota.
2. Revenue Settlement Officer, Kota, and
3. Divisional Forest Officer, Kota.

## *Notifications under*

### **The Rajasthan Forest Act, 1953.**

*Published in Raj Raj-patra part IV (c) Dated February 2, 1961 at page 600 :*

Revenue 'A' Department

### **NOTIFICATIONS**

*Jaipur, November 23, 1960.*

No D. 4815/F.11(120) Rev. A/59.—In exercise of the powers conferred by section 2 of the Rajasthan Forest Act, 1953 (Act No. XIII of 1953), the State Government hereby appoints the following Officers of the Central Arid Zone Research Institute, Jodhpur namely, the Chief Research Officer, the Silviculturist, the Senior Research Assistants (Field), the Forest Guards and Chowkidars whether in permanent or temporary employment whose charges include the areas which have been declared as Reserved or Protected Forest, to do all acts and exercise all powers under sections 26 (2) (a), 34, 44, 54, 57, 58 (b), 61, 54, 70, 72 79 and 83 of the Rajasthan Forest Act, 1953 (Act No. XIII of 1953) in the said areas; and the State Government hereby, further empowers the Chief Research Officer the Silviculturist and the Senior Research Assistants Field) to exercise the powers under section 68 of the said Act.

*Published in Raj. Raj-patra IV (c) dated January 25, 1962 at page 572 :*

Revenue (A) Department (Forest)

### **NOTIFICATION**

*Jaipur, December 26, 1961.*

No. F 34 (44) Rev/A/53Pt-II.—In exercise of the powers conferred by section 76(d) of the Rajasthan Forest Act, 1953 'Act No. XIII of 1953), and as required by section 2 (2) of the said Act, the State Government hereby appoints the following officers as Forest Officers, and invests them with such powers and functions, as are specified against them, namely:—

Class of Officer.	Section of the Act	Brief description of powers and functions.
1. Chief Conservator of Forests, Conservator of Forests, Deputy Conser- vator of Forests and Dist- ict Forest Officers.	17	Power to present appeals from orders pass sections 11, 12, 15 or 16 of the said Act.

2. Conservator of Forests, 21 & 31 Duty of publication of translation of the Notifications for Deputy Conservator of Reserved and Protected Forests, Assistant Conservator of Forests, District Forest Officers and Sub-Divisional Forest Officers.
3. Chief Conservator of Forests and Conservator of Forests, 25 Power to stop wages and water courses in Reserved Forest. This powers is exercisable with the previous sanction of the Commissioner of the Division in which the Reserved Forest is situated.
4. Chief Conservator of Forests, Conservator of Forests, District Forest Officers and (Sub-Divisional Forest Officers). 26(1)(c) Power to notify the reasons at which fire may be candled, kept or carried in the Reserved Forest.
5. -do- 26(2) Power to permit prohibited Acts in Reserved Forest.  
By Order of the Governor,  
R.K. CHATURVEDY,  
Secretary to the Government.

*Published in Raj. Raj-patra IV (c) dated March 15, 1962 at Page 345 :*

Revenue 'A' Department  
NOTIFICATION

*Jaipur, February 24, 1962*

No. F. 7 (141) Rev/A/59.—In exercise of the powers conferred by sub-sections (2) of section 22 of the Rajasthan Forest Act, 1953 (Rajasthan Act 13 of 1953) the State Government hereby delegates all its powers under the said section to the Board of Revenue.

By Order of the Governor,  
R. K. CHATURVEDY,  
Secretary to the Government.

*Published in Raj. Raj-patra part IV (c) at page 2 :*

Revenue 'A' Department  
NOTIFICATION

*Jaipur, May 16, 1962.*

No.F.7(343)/Rev./A/61.—In exercise of the powers conferred by sub-sections (2) of sections 2 of the Rajasthan Forest Act, 1953

(Rajasthan Act No. XIII of 1953) and in continuation of this department Notification No. D. 4185/F. 11 (120) Rev-/A/59, dated the 23rd Nov., 1960, the State Government hereby appoints the following officers of the Central Arid Zone Research Institute, Jodhpur, namely, Assistant Silviculturists, Research Assistant (Field), Senior Scientific Assistants, Junior Scientific Assistants also whether in permanent or temporary employment whose charges include the areas which have been declared as Reserved or Protected Forest to do all the acts and exercise all powers of a Forest Officer under sections 26 (2) (a), 34, 52, 54, 57, 58 (1) (b), 61, 64, 70, 72, 76 and 83 of the said Act.

By Order of the Governor,  
R. K. CHATURVEDY,  
Secretary to the Government.

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*Rules and Notifications under*  
**RAJASTHAN GAUSHALA ACT, 1960**

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# RAJASTHAN GOSHALA RULES, 1964

The Rajasthan Goshala Rules, 1964

Jaipur, September 30, 1964

Notification No. F. 15 (275)SCA/59:—In exercise of the powers conferred by sub section (1) of Sec. 13 of the Rajasthan Goshala Act, 1960 (Act. No. 24 of 1960), the State Government hereby makes the following rules, namely:—

1. Short title and extent:—(1) These rules may be called the Rajasthan Goshala Rules, 1964.

(2) They shall extend to the whole of the State of Rajasthan.

2. Definitions — In these rules unless the subject or context otherwise requires:—

(a) "Act" means the Rajasthan Goshala Act, 1960;

(b) "Form" means a Form appended to these rules;

(c) "Section" means a section of the Act; and

(d) all other words and expressions used herein but not defined shall have the meanings respectively assigned to them in the Act.

3. Constitution of the Federation:—The Federation shall consist of 11 members to be elected by the Trustees of the Goshalas in the manner laid down in rule 4.

4. Election of the members of the Federation:—(1) Within three months of the preparation of the Register of the Goshala, the Registrar shall issue to every trustee of President or Secretary or Administrator or the person issue by whatever designation known, in whom the administration of Goshala in the State vests, a notice in writing.

(i) stating the date, time and place of the meeting for election of the members of the Federation atleast 15 days in advance; and

(ii) inviting nominations so as to reach the Registrar atleast one week before the date notified for election.

(2) Nominations shall be duly proposed and seconded by the trustees and shall also contain the consent of the person nominated under his own signature which shall be duly attested by any other trustee or by the Sarpanch of the Panchayat Samiti of the area in which such person resides or by a Government officer of the Gazetted rank.

(3) All Nomination Papers shall be scrutinised by the Registrar or any other officer authorised by him in this behalf, and those Nomination Papers which are not in accordance with the provisions mentioned in sub-rule (2) shall be rejected by the Registrar or such officer.

(4) On the date notified for the election, a meeting of the trustees shall be called at the appointed time and place. The Registrar shall preside over this meeting. A list of the candidates validly nominated shall be announced by him. Any candidate may withdraw his candidature by a notice in writing delivered to the Registrar atleast one hour before the time fixed for the meeting. Immediately upon the announcement of the list of candidates validly nominated and who have not withdrawn their candidature the election shall take place by a simple majority voting. In case of equality of votes, result shall be declared by drawing of lots in such manner as the Registrar may think proper.

(5) Each Goshala shall have one vote which shall be exercised by its trustee. If there are more than one trustee in Goshala, the right of voting shall be exercised by the trustee nominated the Goshala in this behalf.

(6) Trustees of atleast one-fourth of the total number of Goshalas or twenty-five trustees each of which representing one Goshala, whichever is less; shall form the quorum for such meeting for the election:

Provided that if at any such meeting the quorum is not present, the Registrar shall adjourn the meeting to some other date and the notice of such meeting shall be issued in the same manner as is prescribed in sub-rule (1) and no quorum shall be required for any adjourned meeting.

(7) All votes shall be recorded by the trustees in person by Ballot system.

(8) After all the 11 members have been elected, they will elect from among themselves one member as the Chairman of the Federation.

5. Application for registration of Goshala:—(1) An application for registration of a Goshala shall be in Form I and shall be submitted by the trustee of such Goshala in person or sent by registered post (acknowledgment due) to the Registrar at his office. Every such application shall be accompanied by a statement in Form II and other particulars in Form III and IV.

(2) After the receipts of the application and the statement under sub-rule (1), the Registrar shall grant a receipt in Form No.v to the trustee or his agent.

6. Maintenance of register and grant of certificate of registration:—The registrar shall maintain a register of Goshalas in Form VI and shall issue a certificate of registration of a Goshala in Form VII.

7. Notice of enquiry:—The notice of enquiry required to be served on the trustee of a Goshala under sub-section (2) of section 7 of the Act shall be in Form VIII.

8- Annual statement of changes in the particulars of Goshala:—An annual statement required to be furnished by the trustee of a Goshala under section 8 of the Act shall be in Form IX and shall be sent to the Registrar by registered post (acknowledgment due) or presented in person and a receipt obtained therefor.

9. Statement of accounts—A statement of the accounts of Goshala required to be furnished by the trustee to the Registrar under sub-section (3) of section 9 of the Act shall be in Form X.

10. Preparation of audit note:—The auditor appointed under section 9 of the act shall prepare an audit note on Form XI.

11. Service of notice:—Every notice required to be issued under this Act or these rules shall be served by registered post (acknowledgment due).

#### \*FORMS

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 25-2-65 Page 810]

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\* Text of Forms omitted.

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*Rules and Notifications under*

GOVERNMENT ELECTRICAL UNDERTAKING (DUES RECOVERY) ACT, 1960. THE RAJ. (ACT No. 34 OF 1960)

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# The Rajasthan Government Electrical Undertakings (Dues Recovery) Rules, 1962

Government of Rajasthan

Power department

NOTIFICATION

*Jaipur, May 25th, 1962.*

No. F.7 (9) Pow./62—In exercise of the powers conferred by sub section (1) and sub-section (2) of section 7 of the Rajasthan Government Electrical undertaking (Dues Recovery) Act, 1960 (Act No. 34 of 1960), the State Government hereby makes the following rules, namely.

1. *Short title:*—These rules, may be called the Rajasthan Government Electrical Undertakings (Dues Recovery) Rules, 1962

2 *Rendering of bills:*—The Board or its representative Officer authorised to issue bills will render bills to the debtors for the dues of the Board in Forms specified in the Schedule annexed hereto.

Every bill for dues payable by a debtor shall specify conspicuously the date by which such dues are to be paid.

3. *Non payment of bills.*—In case of default on the part of the debtor to pay the bills rendered under rule 2 above, the prescribed authority will serve a notice of demand on the debtor in the form specified in the Schedule annexed hereto stating the name of the debtor, the amount payable by him, penalty, cost of recovery and the Board's office at which it is payable.

The Notice of demand will be served by the prescribed authority by registered A. D. post at the address recorded in the issuing office or at the last known address as the case may be.

The dues of the Board shall be payable by the debtor within 30 days from the date of receipt of the said notice of demand or within such extended period as the prescribed authority may allow.

4. *Recovery of dues as land revenue.*—The prescribed authority shall on the failure of the debtor to pay the dues after re-

2 ] Raj. Govt. Electrical Undertakings (Dues Recovery) Rules, 1962

ceipt of the demand notice and at the expiry of the period of 30 day as specified above, or within such extended time as may be allowed refer the case to the Collector of the district concerned in the form of the certificate detailed in the Schedule annexed hereto, under Sub-section (2) of section 6 of the aforesaid Act.

By Order of the Governor,

( S. D. Ujwal )

Addl. Chief Secretary to Government  
in the Power Department.

Schedule to the Rajasthan Government Electrical Undertakings  
(Dues Recovery) Rules, 1961.

S. No.	Particulars of the Forms.
1.	Consumer's bill for Domestic/Commercial Supply.
2.	Consumer's bill for Industrial Supply.
3.	Consumer's bill for Special/Bulk Supply.
4.	Consumer's bill for Surcharge tariff only.
5.	Consumer's bill for Domestic/Commercial Supply.
6.	Consumer's bill for Industrial Supply.
7.	Consumer's bill for Special/Bulk Supply.
8.	Bill for jobs carried out, Goods sold/given on hire etc.
9.	Form of Notice of Demand.
10.	Certificate of public demand.

(Form 3 under Rule 3)

RAJASTHAN STATE ELECTRICITY BOARD.

Office of the.... .... .... ....

To... .... .... .... .... .... ....

No.	Description.	Quantity.	Rate Rs. n.p.	Per	Amount Rs. n.p.	Remarks.

E. & O. E.

Office of issue

The.... .... ....196 .

Book No ... ...

Signature of the Officer  
Designation of Officer.....

Serial No.....

**RAJASTHAN STATE ELECTRICITY BOARD**  
*Consumer's Bill for Domestic/Commercial Supply*  
[ PLEASE PRESENT THIS BILL WITH REMITTANCE ]

OFFICE OF ISSUE JAIPUR                    DATE                    Form No. RSED A.—3

Application No /      Account

Service No.                    No.                    Class of supply

Date	Meter Reading	Units Consumed	Checked by Initials
New			
Old			

For Cash                    DUE DATE                    For Cheque

Arrears ....

Misc. Charges (Debit) .... \_\_\_\_\_

Allowances (Credit) .... \_\_\_\_\_

Total amount payable by due date .... \_\_\_\_\_

Total amount payable after due date .... \_\_\_\_\_

E. & O. E.

For directions please

see overleaf.

XEN/Power House Supdt./P. O.

Cashier-Bank/Power House

Power House Supdt./R.O.

Officer/Official Incharge

OFFICE OF ISSUE JAIPUR                    DATE OF ISSUE

Application No./      Account                    Received Rs.

Service No.                    No.                    Serial No. of

Bank Scroll/C. C. B.

Cashier-Bank/Power House

Class of Supply

**DIRECTIONS RELATING TO THE PAYMENT OF THE BILL**

- (a) In all communications please state your Account No.
- (b) Rebate shown overleaf will be allowed only if the payment of this bill is made in full by the stipulated due date.
- (c) Meter rent is not subject to rebate.
- (d) When making payment bill must be presented intact.

- (e) This bill shall be payable within seventeen days from the date of the issue of the bill notwithstanding any difference or dispute which may arise as to the accuracy of the bill. In the event of error in the bill being admitted the amount of the error shall be adjusted by the Board in the next monthly bill rendered to the consumer after the settlement of the difference or dispute.
- (f) The bill is payable to the Board's/Bank's Cashier at the counter. The Board shall not be responsible for any payment made to employee other than the cashier at the counter.
- (g) This bill is payable in cash but Money Orders and cheques will be received, subject to the condition below. This applies to all departments of the Provincial and the Central Government, who also shall pay bills in cash (including cheques and R. T. Rs.) and not by book transfers.
- (h) If the bill is paid by M. O. the Account No. and the date of bill should be entered on coupon and the M. O. should reach the office of issue on or before the "due date" otherwise the amount payable will be as shown against item "amount payable after due date."
- (i) If this bill is paid by cheque, the cheque should be drawn in favour of the R. S. E. B. issuing the bill and shall reach the office at which payment is due not later than one day before the due date of this bill, otherwise the amount payable will be as shown against item "amount payable after due date". The receipt issued for cheque is subject to actual realisation.
- (j) All cheques should be crossed and Bank Collection Charges should be included.
- (k) Should "the due date" specified on the bill happens to be a holiday in office of the bankers of the Board where the collection is made through a Bank or the office of the Board where the payment of this bill is to be made the next working day will be treated as "the due date".

Book No.....

Serial No.....

## RAJASTHAN STATE ELECTRICITY BOARD

*Consumer's Bill for Industrial Supply*

[ PLEASE PRESENT THIS BILL WITH REMITTANCE ]

OFFICE OF ISSUE JAIPUR DATE Form No. RSED-A.—4

Application No./ Account

Service No. No.

## Class of supply

Date	Meter Reading	Units Consumed	Checked by Initials
New			
Old			

For Cash DUE DATE For Cheque

Arrears ...

Misc. Charges (Debit) ...

Allowances (Credit) ...

Total amount payable by due date ...

Total amount payable after due date .....

E. &amp; O. E.

For directions please

see overleaf.

XEN/Power House Supdt /P. O.

Cashier-Bank/Power House

Power House Supdt./R. O.

Officer/Official Incharge

OFFICE OF ISSUE JAIPUR

DATE OF ISSUE

Application No./ Account

Received Rs.

Service No. No.

Serial No. of

Bank Scroll/C.C.B.

Cashier-Bank/Power House

Class of Supply P.T.O.

## DIRECTIONS RELATING TO THE PAYMENT OF THE BILL

- (a) In all communications please state your Account No.
- (b) Rebate shown overleaf will be allowed only if the payment of this bill is made in full by the stipulated due date.
- (c) Meter rent is not subject to rebate.
- (d) When making payment bill must be presented intact.
- (e) This bill shall be payable within seventeen days from the date of the issue of the bill notwithstanding any difference or dispute which may arise as to the accuracy of the bill. In the event of error in the bill being admitted the amount of the error shall be adjusted by the Board in the next monthly bill rendered to the consumer after the settlement of the difference or dispute.
- (f) The bill is payable to the Board's/Bank's Cashier at the counter. The Board shall not be responsible for any payment made to employee other than the cashier at the counter.
- (g) This bill is payable in cash but Money Orders and cheques will be received, subject to the condition below. This applies to all departments of the Provincial and the Central Government, who also shall pay bills in cash (including cheques and R. T. Rs.) and not by book transfers.
- (h) If the bill is paid by M. O. the Account No. and the date of bill should be entered on coupon and the M. O. should reach the office of issue on or before the "due date" otherwise the amount payable will be as shown against item "amount payable after due date."
- (i) If this bill is paid by cheque, the cheque should be drawn in favour of the R. S. E. B. issuing the bill and shall reach the office at which payment is due not later than one day before the due date of this bill, otherwise the amount payable will be as shown against item "amount payable after due date". The receipt issued for cheque is subject to actual realisation.
- (j) All cheques should be crossed and Bank Collection Charges should be included.
- (k) Should "the due date" specified on the bill happens to be a holiday in office of the bankers of the Board where the payment of this bill is to be made the next working day will be treated as "the due date".

Book No .....

Serial No.....

## RAJASTHAN STATE ELECTRICITY BOARD

*Consumer's Bill for Special/Bulk Supply*

[ PLEASE PRESENT THIS BILL WITH REMITTANCE ]

OFFICE OF ISSUE JAIPUR

DATE

Form No. RSED A.—5

Application No / Account

Service No. No. Class of supply

Date	Meter Reading	Units Consumed	Checked by Initials
New			
Old			

For Cash DUE DATE For Cheque

Arrears ....

Misc. Charges (Debit) ....

Allowances (Credit) ....

Total amount payable by due date ....

Total amount payable after due date ....

E. &amp; O. E.

For directions please

see overleaf.

XEN/Power House Supdt./P. O.

Cashier-Bank/Power House

Power House Supdt./R.O.

Officer/Official Incharge

OFFICE OF ISSUE JAIPUR

DATE OF ISSUE

Application No./ Account

Received Rs.

Service No. No.

Serial No. of

Bank Scroll/C. C. B.

Cashier-Bank/Power House

Class of Supply

P. T. O.

DIRECTIONS RELATING TO THE PAYMENT OF THE BILL

- (a) In all communications please state your Account No.
- (b) Rebate shown overleaf will be allowed only if the payment of this bill is made in full by the stipulated due date.
- (c) Meter rent is not subject to rebate.
- (d) When making payment bill must be presented intact.
- (e) This bill shall be payable within seventeen days from the date of the issue of the bill notwithstanding any difference or dispute which may arise as to the accuracy of the bill. In the event of error in the bill being admitted the amount of the error shall be adjusted by the Board in the next monthly bill rendered to the consumer after the settlement of the difference or dispute.
- (f) The bill is payable to the Board's/Bank's Cashier at the counter. The Board shall not be responsible for any payment made to employee other than the cashier at the counter.
- (g) This bill is payable in cash but Money Orders and cheques will be received subject to the condition below. This applies to all departments of the Provincial and the Central Governments, who also shall pay bills in cash (including cheques and R. T. Rs.) and not by book transfers.
- (h) If the bill is paid by M. O. the Account No. and the date of bill should be entered on coupon and the M. O. should reach the office of issue on or before the "due date" otherwise the amount payable will be as shown against item "amount payable after due date."
- (i) If this bill is paid by cheque, the cheque should be drawn in favour of the officer of the R. S. E. B. issuing the bill and shall reach the office at which payment is due not later than one day before the due date of this bill, otherwise the amount payable will be as shown against item "amount payable after due date". The receipt issued for cheque is subject to actual realisation.
- (j) All cheques should be crossed and Bank Collection Charges should be included.
- (k) Should "the due date" specified on the bill happens to be a holiday in office of the bankers of the Board where the payment of this bill is to be made the next working day will be treated as "the due date".

To be used where Bhakra Tariff is applicable.

( For surcharge tariff only )

Book No .....

Serial No.....

## RAJASTHAN STATE ELECTRICITY BOARD

*Consumer's Bill for Special Bulk Supply*

[ PLEASE PRESENT THIS BILL WITH REMITTANCE ]

OFFICE OF ISSUE JAIPUR

DATE

Form No. RSEB A.—5

Application No / Account

Service No.

No.

Class of supply

Date	Meter Reading	Units Consumed	Checked by Initials
New			
Old			

For Cash DUE DATE For Cheque

Arrears ...

Misc Charges (Debit) ....

Allowances (Credit) ....

Total amount payable by due date ....

Total amount payable after due date ....

E. & O. E

For directions please  
see overleaf.

XEN/Power House Suptd./P. O.

## DIRECTIONS RELATING TO THE PAYMENT OF THE BILL

- (a) In all communications please state your Account No.
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- (d) When making payment bill must be presented intact.
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- (f) The bill is payable to the Board's/Bank's Cashier at the counter. The Board shall not be responsible for any payment made to employee other than the cashier at the counter.
- (g) This bill is payable in cash but Money Orders and cheques will be received, subject to the condition below. This applies to all departments of the Provincial and the Central Government, who also shall pay bills in cash (including cheques and R. T. Rs.) and not by book transfers.
- (h) If the bill is paid by M. O. the Account No. and the date of bill should be entered on coupon and the M. O. should reach the office of issue on or before the "due date" otherwise the amount payable will be as shown against item "amount payable after due date."
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- (j) All cheques should be crossed and Bank Collection Charges should be included.
- (k) Should "the due date" specified on the bill happens to be a holiday in office of the bankers of the Board where the payment of this bill is to be made the next working day will be treated as "the due date".

Book No.....

Serial No.....

## RAJASTHAN STATE ELECTRICITY BOARD

*Consumer's Bill for Domestic/Commercial Supply*

[ PLEASE PRESENT THIS BILL WITH REMITTANCE ]

OFFICE OF ISSUE DATE Form No. RSEB-A.—3

Application No./ Account

Service No. No.

Name  
and  
address  
of the  
consumer

Class of Supply

Date	Meter Reading	Units Consumed	Checked by Initials
New			
Old			

For Cash DUE DATE For Cheque

..... units @ ..... Rs \_\_\_\_\_

Difference of minimum charges and actual  
gross amount ..... .... Rs. \_\_\_\_\_

Meter Rent ..... .... Rs. \_\_\_\_\_

Nett Total Rs. \_\_\_\_\_

Arrears ...

Misc. Charges (Debit) ... \_\_\_\_\_

Allowances (Credit) ... \_\_\_\_\_

Total amount payable by due date.... \_\_\_\_\_

Total amount payable after due date .. \_\_\_\_\_

E. &amp; O. E.

For directions please  
see overleaf.

XEN/Power House/AEN/P. H.

### DIRECTIONS RELATING TO THE PAYMENT OF THE BILL

- (a) In all communications please state your Account No.
- (b) Rebate shown overleaf will be allowed only if the payment of this bill is made in full by the stipulated due date.
- (c) Meter rent is not subject to rebate.
- (d) When making payment bill must be presented intact.
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- (i) If this bill is paid by cheque, the cheque should be drawn in favour of the officer of the R. S. E. B issuing the bill and shall reach the office at which payment is due not later than one day before the due date of this bill, otherwise the amount payable will be as shown against item "amount payable after due date". The receipt issued for cheque is subject to actual realisation.
- (j) All cheques should be crossed and Bank Collection Charges should be included.
- (k) Should "the due date" specified on the bill happens to be a holiday in office of the bankers of the Board where the payment of this bill is to be made the next working day will be treated as "the due date".

Book No .....

Serial No.....

## RAJASTHAN STATE ELECTRICITY BOARD

*Consumer's Bill for Industrial Supply*

[ PLEASE PRESENT THIS BILL WITH REMITTANCE ]

OFFICE OF ISSUE DATE

Form No. RSEB A.—4

Application No / Account

Service No. No.

Name  
and  
address  
of the

Class of supply

Date	Meter Reading	Units Consumed	Checked by Initials
New			
Old			

For Cash DUE DATE For Cheque

..... units @ ..... .... Rs. \_\_\_\_\_

Difference of minimum charges and actual

gross amount ..... Rs. \_\_\_\_\_

Meter Rent ..... Rs. \_\_\_\_\_

Nett Total Rs. \_\_\_\_\_

Arrears .. \_\_\_\_\_

Misc. Charges (Debit) .... \_\_\_\_\_

Allowances (Credit) .... \_\_\_\_\_

Total amount payable by due date .... \_\_\_\_\_

Total amount payable after due date .... \_\_\_\_\_

E. &amp; O. E.

For directions please  
see overleaf.

XEN/Power House/AEN/P. H.

## DIRECTIONS RELATING TO THE PAYMENT OF THE BILL

- (a) In all communications please state your Account No.
- (b) Rebate shown overleaf will be allowed only if the payment of this bill is made in full by the stipulated due date.
- (c) Meter rent is not subject to rebate.
- (d) When making payment bill must be presented intact.
- (e) This bill shall be payable within seventeen days from the date of the issue or the bill notwithstanding any difference or dispute which may arise as to the accuracy of the bill. In the event of error in the bill being admitted the amount of the error shall be adjusted by the Board in the next monthly bill rendered to the consumer after the settlement of the difference or dispute.
- (f) The bill is payable to the Board's/Bank's Cashier at the counter. The Board shall not be responsible for any payment made to employee other than the cashier at the counter.
- (g) This bill is payable in cash but Money Orders and cheques will be received subject to the condition below. This applies to all departments, of the Provincial and the Central Governments, who also shall pay bills in cash (including cheques and R. T. Rs.) and not by book transfers.
- (h) If the bill is paid by M. O. the Account No. and the date of bill should be entered on coupon and the M. O. should reach the office of issue on or before the "due date" otherwise the amount payable will be as shown against item "amount payable after due date."
- (i) If this bill paid by cheque, the cheque should be drawn in favour of the officer of the R.S.E.B. issuing the bill and shall reach the office at which payment is due not later than one day before the due date of this bill, otherwise the amount payable will be as shown against item "amount payable after due date". The receipt issued for cheque is subject to actual realisation.
- (j) All cheques should be crossed and Bank Collection Charges should be included.
- (k) Should "the due date" specified on the bill happens to be a holiday in office of the bankers of the Board where the payment of this bill is to be made the next working day will be treated as "the due date".

Book No.....

Serial No.....

## RAJASTHAN STATE ELECTRICITY BOARD

*Consumer's Bill for Special Bulk Supply*

[ PLEASE PRESENT THIS BILL WITH REMITTANCE ]

OFFICE OF ISSUE DATE Form No. RSEB-A.—5

Application No./ Account

Service No. No.

Name  
and  
address  
of the  
consumer

Class of Supply

Date	Meter Reading	Units Consumed	Checked by Initials
New			
Old			

For Cash DUE DATE For Cheque

.....units@ .....Rs \_\_\_\_\_

Difference of minimum charges and actual  
gross amount .....Rs. \_\_\_\_\_

Meter Rent .....Rs. \_\_\_\_\_

Nett Total Rs. \_\_\_\_\_

Arrears ... \_\_\_\_\_

Misc. Charges (Debit) ... \_\_\_\_\_

Allowances (Credit) ... \_\_\_\_\_

Total amount payable by due date... \_\_\_\_\_

Total amount payable after due date... \_\_\_\_\_

E. &amp; O. E.

For directions please  
see overleaf.

XEN/Power House/AEN/P. H.

## DIRECTIONS RELATING TO THE PAYMENT OF THE BILL

- (a) In all communications please state your Account No.
- (b) Rebate shown overleaf will be allowed only if the payment of this bill is made in full by the stipulated due date.
- (c) Meter rent is not subject to rebate.
- (d) When making payment bill must be presented intact.
- (e) This bill shall be payable within seventeen days from the date of the issue of the bill notwithstanding any difference or dispute which may arise as to the accuracy of the bill. In the event of error in the bill being admitted the amount of the error shall be adjusted by the Board in the next monthly bill rendered to the consumer after the settlement of the difference or dispute.
- (f) The bill is payable to the Board's/Bank's Cashier at the counter. The Board shall not be responsible for any payment made to employee other than the cashier at the counter.
- (g) This bill is payable in cash but Money Orders and cheques will be received subject to the condition below. This applies to all departments of the Provincial and the Central Governments, who also shall pay bills in cash (including cheques and R. T. Rs.) and not by book transfers.
- (h) If the bill is paid by M. O. the Account No. and the date of bill should be entered on coupon and the M. O. should reach the office of issue on or before the "due date" otherwise the amount payable will be as shown against item "amount payable after due date."
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*Rules and Notifications under*

**GRAMDAN ACT, 1960 THE RAJASTHAN (No. 3 OF 1960)**

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# Rajasthan Gramdan Rules, 1960.

Revenue (B ) Department

## NOTIFICATION

Jaipur, June 4, 1960.

No. F. 6 (78) Rev. B/60/(ii).—In exercise of the powers conferred by section 30 of the Rajasthan Gramdan Act, 1960 (Rajasthan Act No. 3 of 1960), the State Government does hereby makes the following rules namely:—

## CHAPTER I.—Preliminary

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Gramdan Rules, 1960.

(2) They shall come into force on the 8th June, 1960.

### Notes.

These rules have been framed on the authority of section 30 of the Rajasthan Gramdan Act, 1960 which requires the State Government to make rules for carrying out the purposes of the Act and for making provisions for the following matters:—

(a) the form of declarations under this Act and the documents to be filed alongwith them;

(b) the authorities before which declarations and objections under this Act may be filed; .

(c) the nature, scope and manner of inquiries and hearing and disposal of objections under this Act;

(d) the manner of preferring appeals under this Act, the authorities to whom, and the time within which, they may be preferred and the procedure for hearing and disposal of such appeals;

(e) the manner in which and the intervals at which the registers of members may be revised and brought up-to-date;

(f) the election of the President;

(g) the powers and duties of the President;

(h) the reasons for which, the circumstances in which and the manner in which the President may be removed from office:

(i) the constitution of Executive Committee, the manner of the election of its members, its term of office, the conduct of its business and its functions, duties and powers;

(j) the principles to be allowed in the allotment of land and the levy of rent, fees or other rates for such allotment;

(k) the grounds on which allottees may be evicted from lands and the manner of their eviction;

(l) the manner of borrowing moneys by a Gram Sabha and the borrowing limits; and

(m) any other matter that is to be or may be prescribed otherwise than by means of regulations.

2. *Interpretation.*—In these rules, unless the subject or context otherwise requires—

(1) the "Act" means the Rajasthan Gramdan Act, 1960;

(2) 'Form' means a form appended to these rules;

(3) 'section' means a section of the Act;

(4) words and expressions defined in the Rajasthan Tenancy Act, 1955 (Rajasthan Act No. 3 of 1955) or the Rajasthan Land Revenue Act, 1956 (Rajasthan Act No. 15 of 1956), shall wherever used herein, be construed to have the meanings assigned to them by the said Acts.

## CHAPTER II.—The Gramdan Village.

### Notes.

The rules 3 to 12 in this Chapter are meant to put into effect the requirements of sections 4 and 5 of the Act which read as follows:—(1) Notwithstanding anything to the contrary contained in any other law for the time being in force an owner of land, not being a minor, may donate by way of gramdan all his lands in a village by filing a declaration in the prescribed form before the prescribed authority.

(2) A declaration under subsection (1) shall not be valid unless it is made,

- (a) In the case of land owned by two or more persons as co-owners, by all such persons jointly;
- (b) in the case of land subject to a mortgage with possession, by the mortgagor and the mortgagee jointly;
- (c) in the case of land held under a grant, lease or assignment from the State Government without permanent or alienable rights, by the person holding it, with the previous approval of the State Government.

(3) Every declaration under sub section (1) shall be published in such manner as may be prescribed, together with a notice requiring all persons interested in the land to submit their objections, if any, in writing to the prescribed authority within one month of the publication of the declaration.

(4) On the expiry of the period specified in sub section (3), the prescribed authority may, after considering the objections received, if any, and after making such further inquiries as may be prescribed, by order, either confirm the declaration or refuse to confirm it.

(5) Any person aggrieved by an order of the prescribed authority under sub-section (4) may file an appeal to the authority prescribed in this behalf within thirty days of the date of order and, subject to the decision on such appeal, the order of the prescribed authority shall be final.

(6) A declaration with the prescribed authority has, by order, refused to confirm under sub-section (4) shall be of no effect.

(7) Any declaration donating land by way of gramdan made before the commencement of this Act may be filed by any person before the prescribed authority and the provisions of sub-sections (2), (3), (4), (5) and (6) shall then *mutatis mutandis* apply to such declaration.

### 5. (1) Where in a village—

(a) the extent of lands, in respect of which declarations filed under section 4 have been confirmed, is not less than fifty-one per cent of the total extent of lands under private ownership in that village;

(b) the number of persons whose declarations have been so confirmed is not less than eighty per cent of the total number of persons owning land and residing in the village and

(c) not less than seventy-five percent of adult persons residing in the village have declared, in the prescribed form and manner, their desire to participate in the gramdan community,

the prescribed authority may, after making such inquiry and in such manner as may be prescribed, by notification in the official Gazette declare that village to be a gramdan village with effect from the date specified in such notification.

**Explanation.**—In the case of a part of a village which is a village for the purposes of this Act, the reference to lands under private ownership in clause (a) of this sub-section shall be construed as a reference to lands owned by the residents of that part.

(2) A copy of every notification under sub-section (1) shall be pasted up in a prominent place in the village and another copy affixed on a conspicuous part in the office of the Collector of the district, and the substance of every such notification shall also be published in the prescribed manner.

(3) Where the conditions mentioned in sub-section (1) are not satisfied, the prescribed authority may, after making such inquiry and in such manner as may be prescribed, declare that the village is not a gramdan village and thereupon every declaration made under section (4) shall, notwithstanding that it has been confirmed under sub-section (4) of that section, cease to have effect.

**3. Form of declaration under section 4.—**(1) Every declaration under sub-section (1) of section 4 of the Act shall be in Form A.

(2) An owner of land situated in different villages shall file separate declarations in respect of each village.

(3) As required by clause (a) of sub-section (2) of section 4, a single joint declaration shall be filed if the owners of the land proposed to be donated in a village are more than one.

**4. Documents to be filed with declaration under section 4.—**(1) Every declaration in Form A shall be accompanied with:—

(a) a certified copy of the latest jamabandi (khewat khatauni in form No. P. 26 of the Land Records Forms) in respect of the land for which the declaration is made if the person making the declaration is an estate-holder; or

(b) either a certified extract copy of the khasra girdawari (Form No. P. 13 of the Land Records Forms) or the assessment paroha in respect of such land, if the person making the declaration is a khatedar tenant.

(2) If the declaration is made by more than one person, the certified copies or assessment parchas mentioned in sub-rule (1) shall be in respect of all the persons making the declaration.

(3) If the declaration is filed by a person referred to in clause (c) of sub-section (2) of section 4, the declaration shall also be accompanied with the written approval of the State Government as required by the said clause of the said sub-section of the said section.

**5. Authority before which declaration under section 4 to be filed.—**(1) A declaration under sub-section (1) of section 4 shall be filed with the Tehsildar of the tehsil in which the land proposed to be donated is situated.

(2) The declaration shall be presented in person by the person making the declaration, or by one of them if there are more than one such persons, or by an authorised agent, or it may be sent by registered post, acknowledgement due.

**6. Publication of Declaration.—**The Tehsildar shall publish the declaration, as expeditiously as practicable, in the following manner:—

- (a) by posting a notice in form B—
- (i) on the notice board of the Tehsil, and
- (ii) at some place of public resort on or adjacent to the land to which it refers; and

(b) copies of the notice shall be served in the manner laid down in section 60 of the Rajasthan Land Revenue Act, 1956, on all the persons recorded as land-holders and tenants in respect of such land in the current annual registers.

*7. Enquiry by Tehsildar.*—(1) In making an enquiry under sub-section (4) of section 4, the Tehsildar shall ascertain whether:—

- (a) the person making the declaration has a *prima facie* right, title or interest in the land specified in the declaration;
- (b) such person is legally competent to make the donation; and
- (c) the particulars contained in the declaration are correct.

(2) The Tehsildar shall also consult the tehsil records and may call for a report from the patwari of the circle and the girdawar qanungo concerned.

(3) The enquiry under this rule shall be completed as expeditiously as possible, and in any case within a period not exceeding one month of the expiry of the date fixed for receiving objections under sub-section (3) of section 4.

*8. Procedure to be followed.*—The procedure to be followed in the enquiry referred to in rule 7 and for the hearing and disposal of objections shall be the same as the procedure for applications and proceedings in non-judicial matters under the Rajasthan Land Revenue Act, 1956.

*9. Appeals against Tehsildar's order under sub-section (4) of section 4.*—(1) An appeal against the Tehsildar's order under sub-section (4) of section 4 shall be filed before the Collector.

(2) The manner of preferring of, and the procedure for hearing and disposal of such appeals shall be the same as those prescribed for appeals in non-judicial matters under the Rajasthan Land Revenue Act, 1956.

*10. Form of declaration under clause (c) of sub-section (1) of section 5.*—(1) A declaration under clause (c) of sub-section (1) of section 5 shall be in Form C.

(2) Such declaration shall be filed in the manner indicated in rule 5 before the Tehsildar of the Tehsil in which the village is situated.

(3) The enquiry referred to in sub-section (1) of section 5 shall be directed to ascertain whether the persons making the declaration are adults and reside in the village, and whether the declaration has been made of their own free will.

11. *Notification under sub-section (1) of section 5.*—(1) If the conditions laid down in sub-section (1) of section 5 are satisfied, the Tehsildar shall issue a notification in Form D.

(2) Apart from posting up copies of the notification as directed by sub-section (2) of section 5, the substance of the notification shall be further published by beat of drum in the village declared as gramdan village.

12. *Form of declaration under sub-section (3) of section 5.*—The declaration referred to in sub-section (3) of section 5 shall be in Form F and shall be published in the manner indicated in sub-rule (2) of rule 11.

13. *Form of declaration under section 7.*—(1) A declaration under section 7 shall be in Form F.

(2) Such declaration shall be filed before the Tehsildar.

(3) The manner of filing such declaration shall be the same as that laid down in rule 5 in respect of a declaration under section 4.

(4) Before confirming the declaration under section 7, the Tehsildar shall consult and obtain the acceptance of the Gram Sabha, for which purpose he shall address the President of the Gram Sabha.

#### *Notes.*

Sub-section (1) of section 7 of the Act provides that:—(1) Any person, not being a minor, who has any right, title or interest in any land within a gramdan village may, by declaration made to the prescribed authority in the prescribed manner, donate his right, title or interest in such land to the Gram Sabha.

#### CHAPTER III.—The Gram Sabha.

14. *Register of members of Gram Sabha.*—(1) Immediately on the issue of a notification under section 8, the tehsildar shall cause to be prepared a register, in Form C of all adult persons who either are residents of the Gramdan village or own lands therein and who are not disqualified under the proviso to sub-section (2) of section 8.

(2) In preparing the register the tehsildar may make such enquiries as may be necessary in regard to eligibility of persons for registration as members of the Gram Sabha.

(3) The register of members prepared under sub-rule (1) shall be revised and brought upto date two years after the date of preparation of the first register and subsequently after every two years.

(4) Before revising the entries in the register, the Tehsildar shall invite claims and objections and also make such enquiries as may be necessary to dispose of such claims and objections and then amend the entries.

#### *Notes.*

This rule has been framed for carrying out the requirements of sections 8 and 9 of the Act which read as under:—(1) The State Government shall, by notification in the official Gazette, establish, with effect from the date specified in the notification under sub-section (1) of section 5, a Gram Sabha for the gramdan village.

(2) The Gram Sabha shall consist of all adult persons who either are residents of the gramdan village or own lands therein.

Provided that a person shall be disqualified for being a member of the Gram Sabha, if he—

(a) is not a citizen of India, or

(b) is of unsound mind and stands so declared by a competent court.

(3) The Gram Sabha shall be a body corporate having perpetual succession and a common seal with power to enter into contracts and, subject to the provisions of this Act, to acquire, hold, administer and dispose of property, both movable and immovable, and shall by the said name sue and be sued.

On the establishment of a Gram Sabha the prescribed authority shall cause to be prepared a register in the prescribed form of all member of the Gram Sabha and the register so prepared shall be revised and brought up-to date at such intervals and in such manner as may be prescribed.

**15. Election of President of Gram Sabha.**—As soon as the register of the members of the Gram Sabha referred to in sub-rule (1) of rule 14 has been prepared, and in any case within thirty days of the issue of the notification under section 8, the Tehsildar shall, by beat of drum, cause a meeting of the registered members of the Gram Sabha to be convened on a date, at a time and at a place to be specified. The announcement of the proposed meeting shall be made for at least three consecutive days.

(2) At this meeting which shall be presided over by the Tehsildar, any registered member of the Gram Sabha may propose one name, from amongst such registered members, for election as President.

(3) The persons proposed for election will have the right to withdraw their names before the actual election.

(4) If there are more candidates than one for the office of the President, the election shall be by a show of hands.

Provided that a majority of 80 per cent of the members present and voting shall be necessary for the election of the president.

(5) In the event of there being an equality of votes between the candidates, the Tehsildar shall draw lots in the presence of the members, and the candidate whose name is first drawn shall be declared to have been elected as the President of the Gram Sabha.

**16. Powers and duties of the President.**—The President of a Gram Sabha shall:

(a) convene, preside over and conduct the meetings of the Gram Sabha;

(b) arrange to keep the records of the Gram Sabha in proper order;

(c) encourage the growth of initiative and enthusiasm in the members of the Gram Sabha and provide to the Gram Sabha, its executive committee and *ad hoc* committees, the necessary guidance in their plans, works and deliberations;

(d) exercise administrative control over the working of the Gram Sabha and its committees;

(e) perform all such functions and exercise all such powers and duties as are imposed or conferred on him by or under the Act or as are delegated to him by regulations made by the Gram Sabha.

*Notes.*

Section 10 of the Act requires the gram Sabha to elect its President from among its members. Rule 16 prescribes the powers and duties of President so elected.

17. *Removal of the president.*—(1) If the President is found wanting in the discharge of his duties and functions, or seriously abuses the powers conferred on him by the Act, and thereby loses the confidence of the members of the Gram Sabha, a motion expressing want of confidence in the President may be made in accordance with the procedure laid down in the following sub-rules.

(2) A written notice of intention to make the motion, signed by not less than one-third of the total number of members of the Gram Sabha, shall be delivered, in person, by any one of the members signing the notice, to the President with a copy to the Tehsildar having jurisdiction over the village.

(3) The Tehsildar shall thereupon (i) convene a meeting of the Gram Sabha for the consideration of the motion at the office of Gram Sabha on a date appointed by him, which shall not be later than thirty days from the date on which the notice under sub-rule (2) was delivered to him; and

(ii) give to the members of the Gram Sabha notice of not less than fifteen clear days of such a meeting, by beat of drum and by affixing a notice on the notice board of the Gram Sabha.

(4) The Tehsildar shall preside at such a meeting:

Provided that, for reasons to be recorded in writing, if he is unable to do so, the Additional Tehsildar or a Naib-Tehsildar shall so preside.

(5) As soon as the meeting convened under this rule commences, the Tehsildar shall read to the Gram Sabha the motion for the consideration of which the meeting has been convened and declare the motion to be open for debate. If thirty per cent of the members present signify their desire that the motion should be debated, it shall be debated, otherwise the motion shall be considered to have been automatically dropped.

(6) On the conclusion of the debate, if one is held or on the expiration of two hours from the commencement of the meeting, the motion shall be put to vote and if sixty-six per cent of the members present and voting, vote for the motion of no confidence, it shall be considered to have been carried.

(7) The Tehsildar shall cause the fact to be published by affixing a notice thereof on the notice board of the Gram Sabha and by beat of drum in the Gramdan village.

(8) The President shall cease to hold office as such and vacate the same on and from the date the said notice is affixed on the notice board of the office of the Gram Sabha and shall hand over his charge to one of the members of the executive committee to be named by the Executive Committee.

(9) The member so named shall hold charge till a new President is elected in accordance with the procedure laid down in rule 15. The new President shall hold office for the unexpired term of office of the removed President.

#### *Notes*

As required under sub-section (1) of section 14 of the Act, this rule prescribes the manner in which, reasons for which and circumstances under which a President can be removed.

18. *Election of Executive Committee.*—Immediately after the election of the President in accordance with rule 15, the Gram Sabha shall, without dispersing, proceed first to determine the number of members (which shall not be less than five as laid down in section 11) of the Executive Committee, and next elect the members in the manner laid down in rule 15 for the election of the President.

19. *Term of office of members of Executive Committee.*—The term of office of the members of the Executive Committee, including the President, shall be three years:

Provided that no person shall hold the office of President successively for more than two terms.

20. *Functions, duties and powers of the Executive Committee.*—(1) The Executive Committee of a Gram Sabha shall exercise all the powers conferred on, and perform all the functions and duties entrusted to it by or under the Act.

(2) In particular the Executive Committee shall—

- (i) assist the President in the discharge of his duties,
- (ii) execute the orders of the Gram Sabha,
- (iii) maintain proper accounts of the Gram Sabha,
- (iv) raise and invest funds,
- (v) borrow money subject to the provisions of section 27 of the Act, and rule 29.
- (vi) prepare for submission to the annual general meeting of the Gram Sabha—
  - (a) an annual report of work and
  - (b) an annual statement of accounts,
- (vii) prepare statements of accounts required at audit and place them before the auditors,
- (viii) advise the President to convene general meetings and the annual meetings of the Gram Sabha in due time.
- (ix) watch that loans and advances are properly utilised for the assigned purposes,

- (x) examine and take prompt action for recovery of all arrears of revenue, rent, cesses, and taxes and instalments or amounts of loans and advances;
- (xi) perform such other duties permissible under the Act or rules, as may be entrusted to it by the Gram Sabha.

21. *Filling up of casual vacancy.*—Any casual vacancy occurring in the office of a member of the Executive Committee, including the President, before the expiration of his term, shall be filled by the election of another member or of the President, as the case may be in the manner provided in rules 15 and 18 and the person so elected shall hold office for the residue of the term of his predecessor.

*Notes.*

Rules 18, 19, 20 and 21 have been framed for the requirements of section 11 of the Act which reads as under:—

(1) Every Gram sabha shall constitute an Executive Committee of its own, consisting of such number of members, not being less than five, as the Gram Sabha may determine.

(2) The members of an Executive Committee shall be elected by the members of the Gram Sabha from amongst themselves in the prescribed manner.

(3) The President of the Gram Sabha shall be a member and the President of its Executive Committee.

(4) The Executive Committee shall perform such functions, discharge such duties and exercise such powers, as may be prescribed.

22. *Conduct of business of Gram Sabha.*—In carrying out its duties and functions under the Act, the Gram Sabha shall, as far as practicable, act on the basis of unanimity or near unanimity.

*Explanation.*—If all the members of the Gram Sabha present and voting are in favour of a proposal, or if no one raises any objection thereto, it shall be considered to have been carried on the basis of unanimity.

If ninety per cent of such members are in favour, it shall be considered as having been carried by near unanimity.

23. *Other functions of the Gram Sabha.*—In addition to the duties and functions specified in section 16, the Gram Sabha shall take effective steps for—

- (a) formulating plans for making the optimum use of the land and resources of the Gramdan village and increasing production;
- (b) construction, maintenance and expansion of irrigation facilities;
- (c) soil conservation of agricultural lands;
- (d) development of the manorial resources of the Gramdan village;
- (e) promotion of the purchase, use and production of improved seeds and improved agricultural implements; and
- (f) introduction of improved breeds of cattle.

*Notes.*

Section 23 of the Act requires that it shall be the duty of every Gram Sabha to manage the lands vested in it and to do all other things necessary and incidental thereto in the interest of the members of the Gram Sabha. The Gram Sabha is required to:—

- (a) arrange for the cultivation of lands vested in it either by itself or by allotting them to the residents of the gramdan village, either individually or jointly, on such terms and conditions including the levy of rent, not exceeding the rent-rate sanctioned for such lands, as it may deem fit;
- (b) apportion the produce or income of such lands among the allottees and the Gram Sabha;
- (c) set apart lands for community purposes;
- (d) grant loans for purposes of cultivation to persons to whom lands are allotted;
- (e) carry out improvements to lands;
- (f) carry out measures for the improvement of the methods of cultivation and the reclamation of waste lands;
- (g) consolidate the lands in the gramdan village by exchange of land or otherwise;
- (h) undertake any agricultural or non agricultural enterprise in the interest of the residents of the gramdan village;
- (i) perform such other functions as it may be authorised by the State Government by notification in the official Gazette.

Rule 23 prescribes additional functions of Gram Sabha as required under sub-section (1) of section 23 o the Act.

*24. Management of lands vested in the Gram Sabha.*—The Gram Sabha, shall, while making allotments of lands to the residents of the Gramdan village for cultivation see that:

- (a) as far as possible, no resident of the Gramdan village shall remain landless;
- (b) the persons who have donated land under section 4, or section 7 or declared their desire to participate in the Gramdan community under clause (a) of sub section (1) of section 5, are allotted land for their personal cultivation not less in extent than the land allotted to other residents of the Gramdan village with a similar number of family members;
- (c) adequate areas are set apart for the grazing of the cattle of the Gramdan village;
- (d) a suitable piece of land is set apart for afforestation;
- (e) the land set apart for community farm shall, if possible, be approximate ten per cent of the cultivable land of the Gramdan village; and
- (f) adequate land is reserved for the extension of the village abadi.

*25. Principles to be followed in the allotment of land.*—The allotment of land for cultivation to the residents of the Gramdan village either individually or jointly, shall be subject to the conditions mentioned below:

- (1) the rent to be charged from the allottee shall, in no case, be in excess of the sanctioned rent-rates applicable to the land;
- (2) where rents in respect of such land have not been determined by the settlement officer, the rent-rates sanctioned during

the last settlement for similar lands in the neighbourhood shall be charged; and

(3) lands in respect of which cash rents have been determined by the Settlement Officer shall not be converted into kind rented lands.

23. Recovery of land revenue by Gram Sabha.—(1) The land revenue and other cesses, rates and taxes due in respect of lands which are situate in the Gramdan village and which have not been donated shall be paid by the persons liable to pay the same to the Gram Sabha, which shall give a receipt in form No. P. 33 of the Land Records forms; and payment to the Gram Sabha shall be a valid payment within the meaning of section 223 of the Rajasthan Land Revenue Act, 1956, and the Rajasthan Land Revenue (Payments, Credits Refunds and Recovery) Rules, 1958.

(2) The Gram Sabha shall arrange to pay the amount realised by it under sub-section (1) of section 18 into the Tehsil Sub-Treasury by means of an Arz Irsil, and the provisions of rule 117 of the Rajasthan Land Revenue (Land Records) Rules, 1957 shall, *mutatis mutandis*, apply.

(3) Before issuing a certificate to the Collector under sub-section (2) of section 18, the Gram Sabha shall move the Tehsildar to issue a writ of demand or citation to appear under section 229 of the Rajasthan Land Revenue Act, 1956 and rule 23 of the Rajasthan Land Revenue (Payments, Credits, Refunds and Recovery) Rules, 1958, and if the defaulter refuses to pay even after the issue of these processes, the Gram Sabha shall issue a certificate and move the Collector under sub-section (2) of section 18 to recover the amount as an arrear of land revenue.

#### *Notes*

This rule prescribes the procedure for exercising the powers vested in Gram Sabha under Section 18 of the Act which provides that:—

(1) Notwithstanding anything contained in any law for the time being in force relating to the collection of land revenue, a Gram Sabha shall be entitled to recover land revenue and other cesses, rates and taxes due in respect of lands which are situated in the gramdan village and which have not been donated.

(2) Any arrear of land revenue, cesses, rates or taxes and any other sum due to a Gram Sabha shall be recoverable as an arrear of land revenue on a certificate issued to the Collector by the Gram Sabha.

27. Disputes regarding allotment.—The prescribed authority for the purpose of clause (iii) of sub-section (2) of section 20 shall be the Tehsildar of the tehsil in which the Gramdan village is situated.

#### *Notes*

Disputes regarding allotment requires reference to an Arbitration Board of which, besides the applicant and Gram Sabha, there shall one member be jointly nominated by both. In Case of failure of agreement in this regard, Section 20 (2) (iii) of the Act requires the prescribed authority to nominate the third member. This rule names Tehsildar for this purpose.

**28. Grounds and manner of eviction of an allottee.**—(1) An allottee shall be liable to eviction if he—

- (i) fails, without sufficient cause, to cultivate the land personally during the period of two consecutive years; or
- (ii) fails to pay the rent payable in respect of the land; or
- (iii) ceases to cultivate and leaves the neighbourhood without the permission of the Gram Sabha and is deemed to have abandoned the land within the meaning of sub-section (4) of section 60 of the Rajasthan Tenancy Act, 1955; or
- (iv) transfers or sub-lets the whole or any part of his holding, or is guilty of any act of commission or omission detrimental to the land or inconsistent with the purpose for which it was allotted.

(2) In the event of any allottee committing any of the acts that renders him liable to eviction, the Gram Sabha shall, before evicting him, issue a notice to him and ask him to show cause, within one month, why he should not be evicted, and give him a hearing if so desired.

#### *Notes*

This rule prescribes the manner in which powers vested under section 21 of the Act shall be exercised. Section 21 provides that:—

A Gram Sabha may evict any allottee from the land allotted to him, if he fails, without sufficient cause, to cultivate the land personally during the period of two consecutive years.

**29. Manner of borrowing moneys and limits.**—(1) The Gram Sabha may borrow from the State Government, or the Rajasthan Central Land Mortgage Bank, or a Co-operative Land Mortgage Bank, or a Co-operative Credit Society, or any other institution notified by the State Government in that behalf, for any of the purposes specified in clauses (a), (d), (e), (f), (g), (l) and (i) of section 16 of the Act

(2) No Gram Sabha shall borrow at one time an amount exceeding five years rental income of the Gramdan village, nor shall the total liability of the Gram Sabha, at any time, exceed ten years such income.

#### *Notes*

Section 27 of the Act provides that:—

Subject to such rules as may be made in this behalf, the Gram Sabha shall have power to borrow moneys on the security of the Gram Nidhi or any other property not being lands vested in the Gram Sabha for any of the purposes for which the Gram Nidhi may be applied.

### FORM A

(See rule 3)

Declaration under section 4, Rajasthan Act No. 3 of 1960.

I/we.....(name(s)) son(s) of....., aged..... years, resident(s) of village..... tehsil..... district.. .... do hereby make the following declaration:

(1) that I/we have understood the provisions of the Rajasthan Gramdan Act, 1960 (Rajasthan Act No. 3 of 1960) and the Rajasthan Gramdan Rules, 1960;

(2) that I/we..... am/are not miner(s);

(3) that I/we am/are owner(s) of the land particulars whereof are given below, being the estate-holder(s) (jagirdar, zamindar/biswedar)/ khatedar tenant(s) in respect of the aforesaid land;

(4) that the aforesaid land—

(a) is not owned by two or more persons as co-owners/that the land is owned jointly by ..... who .. . . . are jointly making this declaration;

(b) is not subject to a mortgage with possession/is subject to a mortgage with possession and this declaration is being made jointly by the mortgagor..... (name) and the mortgagees..... (name); and

(c) is not/is held under a lease or assignment from the State Government without permanent or alienable rights/and the previous approval of the State Government is attached hereto;

(5) that a certified copy of the latest jamabandi (khewat-khatauni)/ assessment parcha for smt. year...../khasra girdawari in respect of the kharif/rabi crop of smt. year...../parcha are attached hereto, as required by rule 4;

(6) that I/we hereby voluntarily donate, by way of Gramdan, all my/our aforesaid lands in village..... (name).

#### Particulars of the land(s)

1. Name of village, with name of tehsil.
2. Khewat No.
3. Khasra No. (with name(s) of field or fields, if any),
4. Area in acres/bighas.
5. Soil class.
6. Rent.
7. Name, parentage, address and residence of estate-holder.
8. Name and parentage of tenant, if any.
9. Name and parentage of sub-tenant, if any.

#### Signature(s)

Witness.....

Date of declaration.....

Place at which made.

#### Verification

\*I/we solemnly affirm that the particulars give above are correct to the best of my/ our knowledge and belief.

Signature(s)

---

\*(Strike out whichever is in-applicable).

## FORM B.

(See rule 6)

Notice under section 4 (3), Rajasthan Act No. 3 of 1960.

In the court of Shri.....Tehsildar of.....Tehsil,  
District . . . . .

Whereas the persons whose names are given below, who claim to be the owners of the lands specified against their names, have filed declarations, in Form A, under-section 4 of the Rajasthan Gramdan Act, 1960 (Rajasthan Act No. 3 of 1960) donating, by way of Gramdan, all their lands in village.....(name to be given), notice is hereby given, as required by sub-section (3) of section 4 of the said Act, requiring all persons interested in the land to submit their objections, if any, in writing to the undersigned within one month of the publication of this notice of the declaration.

Take notice that if no objections are received by the undersigned by.....(date to be specified) then, on the expiry of the said period, the undersigned shall take necessary action in regard to the declarations, as required by section 4 of the Act.

Sr. No. Name of persons. Particulars of land.

Given under my hand and the seal of the court this .. ....  
day of..... 196 .

(Seal)

Tehsildar,  
.....tehsil.

## FORM C

(See rule 10)

Declaration under section 5(1) (c), Rajasthan Act No. 3 of 1960.

I/We..... (name(s)) son(s) of .. ....  
aged... .... years, resident(s) of village.....tehsil.....  
district ..... do hereby make the following declaration:

(1) that I/we have understood the provisions of the Rajasthan Gramdan Act, 1960 (Rajasthan Act No. 3 of 1960) and the Rajasthan Gramdan Rules, 1960;

(2) that I/we am/are adult persons;

(3) that I/we reside in the aforesaid village; and

(4) that I/we desire to participate in the Gramdan community.

I/we, therefore, pray that the aforesaid village..... be declared as a Gramdan village.

Signature(s).

Witness.....

Date of Declaration.....

Place at which made .. . . . .

## Verification

I/We solemnly affirm that the particulars given above are correct.

Signature(s).

## FORM D

(See rule 11)

Notification under section 5 (1). Rajasthan Act No. 3 of 1960.

Whereas I.....(name to be given), Tehsildar of Tehsil..... being the prescribed authority, have, after necessary enquiries, satisfied myself that the conditions laid down in sub-section (1) of section 5 of the Rajasthan Gramdan Act, 1960 (Rajasthan Act No. 3 of 1960) have been satisfied, I hereby declare village.....of this Tehsil to be a Gramdan village with effect from....(date to be specified).

Issued under my hand and the seal of the court, this.....day of.....196

SEAL OF THE COURT.

Signature,  
Tehsildar, Tehsil.....

## FORM E

(See rule 12)

Declaration under section 5(3), Rajasthan Act No. 3 of 1960.

Whereas I.....(name to be given), Tehsildar .....being the prescribed authority, after making the prescribed enquiries am not satisfied that the conditions under sub-section (1) of section 5 of the Rajasthan Gramdan Act, 1960 (Rajasthan Act No. 3 of 1960) are satisfied, I hereby declare that village.....is not a Gramdan village.

Issued under my hand and the seal of the court this.....day of.....196

SEAL OF THE COURT.

Signature,  
Tehsildar,.....Tehsil.

## FORM F

(See rule 13)

Declaration under section 7, Rajasthan Act No. 3 of 1960.

I/We... ....(name(s) son(s) of... .... aged .... years, resident(s) of village.... tehsil.... district.... do hereby make the following declaration:

(1) that I/we have understood the provisions of the Rajasthan Gramdan Act, 1960 (Rajasthan Act No. 3 of 1960) and the Rajasthan Gramdan Rules, 1960;

(2) that I/we am/are not minor;

(3) that I/we have right title or interest (to be described fully) in the land, particulars where of are given, below, situated in the Gramdan village.....

(4) that in support of my/our said right title or interest, I/we append hereto a certified copy of the latest jamabandi (kbewat-khatuauni) for Samvat year .../the khasra girdawari in respect of the kharif/rabi crop of Sambat year...../Assessment parcha.

(5) that I/we hereby donate my/our aforesaid right title or interest in the land specified below to the Gram Sabha of the aforesaid Gramdan village.

**Particulars of the land.**

1. Name of village, with name of tehsil.
2. Khewat No.
3. Khasra No. (with name (s) of field or fields, if any).
4. Area in acres/bighas.
5. Soil-class.
6. Rent.
7. Name, parentage, address and residence of estate-holder.
8. Name and parentage of tenant, if any.
9. Name and parentage of sub-tenant, if any.

Signature (s)

Witness ..

Date of declaration...

Place at which made ..

**Verification**

I/We solemnly affirm that the particulars given above are correct to the best of my/our knowledge and belief.

Signature (s).

\*(Strike out whichever is in applicable).

**FORM G**

(See rule 14)

**Register of members of the Gram Sabha.**

1. Name of the Gramdan village, with name of tehsil.
2. Year and date of preparation.
3. Date when revision due.

**Columns.**

1. Sr. No. of member.
2. Name.
3. Parentage.
4. Caste.
5. Date of birth, or age.
6. Profession or occupation.
7. Approximate period of residence in the village.
8. Address.
9. Particulars of area cultivation.
  - (i) khasra No.
  - (ii) area.
  - (iii) soil class, and
  - (iv) rent.
10. Number on the Electoral Roll.

Tehsildar.....  
By Order of the Governor,  
R. K. CHATURVEDY,  
Secretary to the Government.

*Notifications under*

RAJASTHAN GRAMDAN, ACT, 1960.

*Published in Raj. Raj-patra part IV (c) dated June 7, 1960 at page 51*

Revenue (B) Department

NOTIFICATION

Jaipur, June 4, 1960.

No. F.6(78) Rev. B/ 60/(i).—In exercise of the powers conferred by sub-section (3) of section 1 of the Rajasthan Gramdan Act, 1960 (Rajasthan Act 2 of 1960), which is an Act to provide for the establishment of Gramdan villages, a movement initiated by Shri Acharya Vinoba Bhave, and for matters connected therewith the Government of Rajasthan hereby appoints the 8th of June, 1960, as the date from which the said Act shall come into force.

By Order of the Governor.

R. K. CHATURVEDY.

*Secretary to the Government.*

*Published in Raj. Raj-patra part IV (c) dated September 15, 1960 at page 358*

Revenue (B) Department.

NOTIFICATION

Jaipur, August 27, 1960.

No. F. 6 (43) Rev. B/60.--WHEREAS clause (c) of sub-section (2) of section 4 of the Rajasthan Gramdan Act, 1960, (Rajasthan Act No. 3 of 1960), lays down that a Gramdan declaration in the case of land held by a person under a grant, lease or assignment from the State Government without permanent or alienable rights shall not be valid unless it is made with the previous approval of the State Government;

AND WHEREAS in the case of lands allotted under the Rajasthan (Allotment of Land to Co-operative Societies) Rules, 1959, as published under this Department's Notification No. F. 2 (17)Rev. B/59, dated the 20th May, 1959, the allotment is on a lease for a period of twenty-five years renewable for a further period of twenty five years at the option of the co-operative society and the co-operative societies to whom land is allotted under the said rules are not authorised to sub-let or transfer the land in any other manner;

AND WHEREAS it is considered advisable to permit such co-operative societies to make Gramdan declarations under section 4 of the Rajasthan Gramdan Act, 1960, if they so wish;

Now, THEREFORE, in pursuance of clause (c) of sub-section (2) of section 4 of the Rajasthan Gramdan Act, 1960, the State Government does hereby approve of the co-operative societies to whom land is allotted under the aforesaid rules making if they so desire, Gramdan declarations, and to direct that this notification be deemed to be the previous approval of the State Government within the meaning of the said clause of the said sub-section of the said section of the said Act.

By Order of the Governor,  
R. K. CHATURVEDY,  
*Secretary to the Government.*

*Notifications under*

**Rajasthan Gramdan Act, 1960.**

*Published in Raj. Raj-patra part II (a) dated September 7, 1961 at page 176 :*

Office of the Tehsildar, Reodar

FORM 'D'

(See Rule 11)

Notification under Section 5 (1) Rajasthan Act No. 3 of 1960.

Reodar, August 22, 1960.

No. Gramdan/60.—Whereas I, Vraj Nath Sharma, Tehsildar of Tehsil Reodar being the prescribed authority have after necessary enquiries satisfied myself that the conditions laid down in Sub-section (1) and section 5 the Rajasthan Gramdan Act, 1960 (Act No. 3 of 1960) have been satisfied, I hereby declare village Hathal of this Tehsil to be a Gramdan village with effect from 22-8-60.

Issued under my hand and the seal of the Court this 22nd day of August, 1960.

V. N. SHARMA,  
Tehsildar, Reodar,

*Published in Raj Raj-patra part I (b) dated June 6, 1961 at page*

Revenue (B) Department

NOTIFICATION

Jaipur, June 6, 1961.

No. F. 6 (7) Rev. B/Gr. I./61.—In exercise of the powers conferred by sub-section (1) of section 8 of the Rajasthan Gramdan Act, 1960 (Rajasthan Act No. 3 of 1960), the State Government does hereby establish Gram Sabhas in the Gramdan villages specified in column 2 of the sub-joined table with effect from the date specified in column 5 of the table:—

S. No.	Name of Gramdan village for which Gram Sabha is established.	Name of Tehsil.	Name of District.	Date of declaration as Gramdan village under sub-section (1) of section 5 of Rajasthan Act 3 of 1960.
1	2	3	4	5
1.	Amra Gadri-ka-Khera	Gangrar	Chittorgarh	14-12-60
2.	Laxman Singh-ka-Khera	-do-	-do-	-do-
3.	Modsingh-ki-Choki	-do-	-do-	-do-
4.	Suratsingh-ka-Khera	-do-	-do-	-do-
5.	Devda	-do-	-do-	-do-
6.	Jalki-ka-Kheda	-do-	-do-	-do-
7.	Bhilya-ka-Kheda	-do-	-do-	-do-
8.	Beer Santoshpura	Chaksu	Jaipur	10-1-61.
9.	Naya Mauja alias Jai Prakaspura Tan Shakhar Khavda	-do-	-do-	-do-

10.	Nainawalon-ki-Dhani Mohammedpura	Tan	-do-	-do-	-do-
11.	Mohammedpura		-do-	-do-	-do-
12.	Kripampura	Krishi Sahkari Samiti, Kripampura	-do-	-do-	-do-
13.	Lakhavas	Krishi Sahkari Samiti Lakhavas	-do-	-do-	-do-
14.	Nenupura	Krishi Sahkari Samiti Nenupura	-do-	-do-	-do-
15.	Kheri	Phulera	-do-	-do-	19-12-60
16.	Aaidan-ka-Bas		-do-	-de-	-do-
17.	Khejrabas		-do-	-do-	-do-
18.	Kunchayabas		-do-	-do-	-do-
19.	Joshibas		-do-	-do-	-do-
20.	Sardarpura alias Dhakawali		-do-	-do-	-do-
21.	Ganespura		-do-	-do-	-do-

By Order of the Governor,  
R. K. CHATURVEDY,  
Secretary to the Government.

Published in Raj. Raj-patra part I (b) dated August 24, 1961 at page 213.

#### NOTIFICATION

Jaipur, August 9, 1961.

No. F. 6 (7) Rev. B/Gr I/61.—In exercise of the powers conferred by sub-section (1) of section 8 of the Rajasthan Gramdan Act, 1960 (Rajasthan Act No. 3 of 1960), the State Government does hereby establish Gram Sabha in the Gramdan Village specified in column 2 of the subjoined table with effect from the date specified in column 5 of the table.

S.No.	Name of Gramdan village for which Gram Sabha is established	Name of Tehsil	Name of District	Date of declaration as Gramdan Village under sub-section (1) of section 5 of the Rajasthan Act 3 of 1960
1	2	3	4	5
1.	Khatiwalon-ki-Dhani.	Neem-ka-Thana	Sikar.	7-4-1961

By Order of the Governor,  
R. K. CHATURVEDY,  
Secretary to the Government.

Published in Raj. Raj-patra part I (b) dated October 19, 1961 at page 275

#### Revenue (B) Department

#### NOTIFICATION

Jaipur, October 4, 1961.

No. F. 6 (7) Rev. B/Gr. I/61.—In exercise of the powers conferred by sub-section (1) of section 8 of the Rajasthan Gramdan Act, 1960 (Rajasthan Act No. 3 of 1960), the State Government does hereby establish Gram Sabha in the Gramdan Village specified in Column 2 of the subjoined table with effect from the date specified in column 5 of the table.

S.No.	Name of Gramdan village for which Gram Sabha is established	Name of Tehsil	Name of District	Date of declaration of Gramdan village under sub-section (1) of section 5 of Raj. Act 3 of 1960.
1	2	3	4	5

1. Nokhna. Sagwara. Dungarpur. 5-5-61.

R. K. CHATURVEDY,  
Secretary to the Government.

Published in Raj. Raj-pat<sup>r</sup> part I (b) dated November 23, 1961 at page 293.  
Revenue (B) Department

#### NOTIFICATION

Jaipur, November 4, 1961.

No. F. 6 (7) Rev. B/Gr I/61.—In exercise of the powers conferred by sub-section (1) of section 8 of the Rajasthan Gramdan Act, 1960 (Rajasthan Act No. 3 of 1960), the State Government does hereby establish Gram Sabhas in the Gramdan villages specified in column 2 of the subjoined table with effect from the date specified in column 5 of the table.

Serial No.	Name of the Gramdan village for which Gram Sabha is established.	Name of Gram Tehsil.	Name of District.	Date of declaration as Gramdan village under sub-section (1) of section 5 of Rajasthan Act 3 of 1960.
1.	Hathal	Reodar	Sirohi	22-8-61
2.	Patdi	Dungapur	Dungarpur	19-7-61
3.	Ghani Upli.	Sagwara	Dungarpur	1-8-61
4.	Ghani Neechli.	Sagwara	Dungarpur	1-8-61

By Order of the Governor,  
R. K. CHATURVEDY,  
Secretary to the Government.

Published in Raj. Raj-pat<sup>r</sup> part I (b) dated March 22, 1962 at page 347

Revenue (B) Department

#### NOTIFICATION

Jaipur, March 9, 1962.

No. F. 6 (7) Rev/B/Gr. I/61.—In exercise of the powers conferred by sub-section (1) of section 8 of the Rajasthan Gramdan Act, 1960 (Rajasthan Act No. 3 of 1960), the State Government does hereby establish Gram Sabhas in the Gramdan villages specified in column 2 of the subjoined table with effect from the date specified in column 5 of the table.

S.No.	Name of the Gramdan village for which Gram Sabha is established.	Name of Tehsil.	Name of District.	Date of declaration of Gramdan village under sub-section (1) of section 5 of Raj. Act 3 of 1960.
1	2	3	4	5

1. Khajuriya. Dungarpur Dungarpur 4-10-1961  
2. Fala Naya Talab .do. .do. .do.

4 ] Notifications under Rajasthan Gramdan Act, 1960.

3. Sadli Fala Savgarh,	-do-	-do-	6-10-1961
4. Modra Fala Khajuriya,	-do-	-do-	-do-
5. Ratapani Nayee Basti	-do-	-do-	-do-
6. Dhani Regran	Phulera	Jaipur	4-11-1961
7. Dhani Bardhakahali	-do-	-do-	-do-
8. Balolai	-do-	-do-	22-5-1961
9. Majra Bhoodanpura	Garhi	Banswara	29-8-1961
10. Majra Dakarkundi	-do-	-do-	-do-
11. Sundrav	Bagidora	-do-	25-4-1961
12. Bavri	-do-	-do-	-do-
13. Nanipadar	-do-	-do-	-do-
14. Menapadar	-do-	-do-	-do-

By Order of the Governor,

R. K. CHATURVEDY,

Secretary to the Government.

Published in Raj. Raj-patra part IV (c) at page 31:

Revenue (B) Department.

NOTIFICATION.

Dated Jaipur, 23 March, 62.

No. F. 6 (19) Rev. B/Gr. I./59.—In exercise of the powers conferred by clause (b) of section 6 of the Rajasthan Gramdan Act, 1960 (Rajasthan Act No. 3 of 1960), the State Government hereby specifies that—

- (i) Government-owned unoccupied agricultural lands, and
- (ii) pasture lands,

situated in those parts of villages, whether called Hamlet, Thok patti, Dhanis, Puras, Falas, Wadas or otherwise, that have been declared as Gramdan villages under section 5 of the said Act, shall not vest in the Gram Sabha as established for such Gramdan villages.

By Order of the Governor,  
R. K. CHATURVEDY  
Secretary to the Government.

Published in Raj. Raj-patra part I (b) dated June 7, 1962 at page 23 :

Revenue (B) Department

NOTIFICATION

Jaipur, May 23, 1962.

No. F. 6 (7) Rev. B/Gr. I./61.—In exercise of the powers conferred by sub-section (1) of section 8 of the Rajasthan Gramdan Act, 1960 (Rajasthan Act No. 3 of 1960), the State Government does hereby establish Gramdan village specified in column 2 of the sub-joined table with effect from the date specified in column 5 of the table.

S.No.	Name of the Gramdan village for which Gram Sabha is established.	Name of Tehsil.	Name of District.	Date of declaration of Gramdan village under sub-section (1) of section 5 of Raj. Act 3 of 1960.
1	2	3	4	5
1.	Hem Niwas.	Mandalgarh.	Bhilwara.	8-3-1961. By Order of the Governor, R. K. CHATURVEDY, Secretary to the Government.

Published in Raj. Raj-patra part I (b) dated July 26, 1962 at page 62:

Revenue (B) Department  
NOTIFICATION

Jaipur, July 14, 1962.

No. F. 6 (7) Rev. B./Gr. I/61.—In exercise of the powers conferred by sub-section (1) of section 8 of the Rajasthan Act, 1960 (Rajasthan Act No. 3 of 1960), the State Government do hereby establish Gram Sabhas in the Gramdan villages specified in column 2 of the sub joined table with effect from the date specified in column 5 of the table:—

S.No.	Name of the Gramdan village for which Gram Sabha is established.	Name of Tehsil.	Name of District.	Date of declaration of Gramdan village.
1	2	3	4	5
1.	Kamela	Aspur	Dungarpur	23-9-1961
2.	Talaiya	,	,	-do-
3.	Kad	"	"	-do-

By Order of the Governor,  
R. K. CHATURVEDY,  
Secretary to the Government.

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*Rules and Notifications under.*

RAJASTHAN GIFT GOODS (TRADE AND UNLAWFUL  
POSSESSION) ACT, 1964

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# Raj. Gift Goods (Trade & Unlawful Possession) Act, 1964

Medical & Public Health Department

Jaipur, September 17, 1966.

Notification No. F. 24/2(13) HA/II MPH/66.—In exercise of the powers conferred by section 5 of the Rajasthan Gift Goods (Trade and Unlawful Possession) Act 1964 (Rajasthan Act 14 of 1964), the State Government hereby adds to the Schedule appended to the said Act, the following organisation as Sl. No. 6, namely:—

“6. World Health Organisation”

[Pub. in Raj. Gaz. 4 (Ka)-Dt. 24-11-66]